

Exhibit E

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X

4 NOREEN SHEA,

5 Plaintiff,

6
-against-

7
8 VILLAGE OF POMONA, BRETT YAGEL,

9 Defendants.

10 -----X

11 One North Lexington Avenue

12 White Plains, New York

13 August 30, 2019

14 10:15 a.m. - 4:56 p.m.

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16
17 EXAMINATION BEFORE TRIAL of NOREEN

18 SHEA, a Plaintiff herein, taken by the Defendant,
19 pursuant to Order, before a Notary Public for and
20 within the State of New York.

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A P P E A R A N C E S:

SUSSMAN & ASSOCIATES

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BY: JOSEPH DeGIUSEPPE, Jr., ESQUIRE

ALSO PRESENT:

IAN BANKS, (Mayor of Pomona)

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED

by and between (among) counsel for the respective parties herein, that filing and sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED

that all objections, except as to the form of the question, shall be reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED

that the within deposition may be sworn to and signed before any officer authorized to administer an oath, with the same force and effect as if signed and sworn to before the Court.

1 NOREEN SHEA

2 Thereupon:

3 N O R E E N S H E A ,

4 having been first duly sworn or affirmed, was

5 examined and testified as follows:

6 THE WITNESS: So help me God.

7 COURT REPORTER: Please state your full
8 name and address.

9 THE WITNESS: Noreen Shea, S-H-E-A.
10 One Vineyard Way, Williamston, South
11 Carolina, 29697.

12 EXAMINATION BY

13 MR. DeGIUSEPPE:

14 Q Good morning, Ms. Shea. As you may
15 recall, my name is Joe DeGiuseppe, we met at the
16 mediation session. I'm here today representing
17 both defendants, the Village of Pomona and the
18 former mayor, Brett Yagel. Today I'll be asking
19 you a number of questions really we're going to
20 do our background facts to get your side of the
21 story so-to-speak on issues that are relevant to
22 this case and some other questions which I
23 believe are relevant. Most important thing to
24 remember is that, please wait till I ask the full
25 question because the court reporter can't take

NOREEN SHEA

down your answer and my question at the same time, so even though you anticipate a question and the answer please wait until I finish. If you don't understand a question, either ask for it to be read back or ask for clarification I'll be glad to accommodate that.

Other than that, also remember that the court reporter can't interpret body motion so nodding your head or shrugging your shoulders she cannot interpret, so you must answer yes, no. If you don't know an answer, please say I don't know I'd rather you not guess at an answer. If you don't recall, then you can indicate I don't recall. And if the document might help you recall, please feel free to indicate if there is that document. Do you understand everything I've said so far?

A Yes.

Q Okay. Is there any reason why you can't proceed today, illness or not feeling well or any other reason?

A No.

Q We just have to clarify that just so that -- have you taken any type of medicine or

1 NOREEN SHEA

2 drug or other substance which you believe would
3 impair your ability to recollect clearly today?

4 A Just my Synthroid, I've taken it for 30
5 years.

6 Q I take that too. Hopefully it won't
7 affect my memory.

8 Have you ever had your deposition taken
9 before?

10 A No, it's my first.

11 Q First one?

12 A Um-hmm.

13 Q You can't say um-hmm you have to say
14 yes.

15 A Oh yes.

16 Q Have you ever given any type of sworn
17 testimony in any type of legal proceeding before,
18 either by affidavit or an arbitration proceeding
19 or a courtroom proceeding?

20 A I helped Ian.

21 THE WITNESS: Is that an affidavit on
22 yours?

23 MR. SUSSMAN: All right, here is the
24 thing --

25 MR. BANKS: Well --

1 NOREEN SHEA

2 MR. SUSSMAN: No. No. You can't ask
3 anyone here including Mr. DeGiuseppe any
4 questions. You could ask me questions
5 privately. So he can't give any answers,
6 you understand? You have to give testimony
7 to your knowledge whether you remember or
8 no. So the question asked is, have you
9 given any testimony in any form before,
10 submitted any affidavits? If I'm
11 understanding the question correct?

12 MR. DeGUISEPPE: That's correct.
13 Right.

14 MR. SUSSMAN: So if you have, tell him
15 you have. If you haven't, tell him you
16 haven't. If you don't remember, tell him
17 you don't remember.

18 MR. DeGUISEPPE: Correct. I agree with
19 everything Michael just said.

20 THE WITNESS: Yes.

21 Q Okay. And what type of testimony have
22 you given before?

23 A It was about Ian Banks' barn.

24 Q It was as form of an affidavit; is that
25 correct?

NOREEN SHEA

A Um-hmm.

Q You have to say yes.

A Oh yes.

Q And you basically helped sworn testimony, correct? If you don't know, you could say you don't know. This is not -- let me just make something clear, I think Michael will agree with me. If you don't know an answer or you're not sure, you can either clarify it later if you say you don't know now.

A If I write an e-mail saying that -- is that a sworn affidavit? That's my question.

MR. SUSSMAN: You can't ask questions.

Q Let me put it this way; I could see that you submitted an affidavit on behalf of Ian Bank prior to his mayor, is that what you're referring to?

A Okay. Yeah.

Q And you understood the significance of taking an oath and swearing to tell some to the best of your ability?

A The truth.

MR. SUSSMAN: And just for completeness, you also submitted an

1 NOREEN SHEA

2 affidavit to the human rights division in
3 your own case?

4 THE WITNESS: Yes.

5 Q Okay. So that as well?

6 A Um-hmm.

7 Q You have to say yes.

8 A Yes.

9 Q It's okay, everybody does this. Just
10 one other thing, if there's a -- you can take a
11 break for whatever reason you want without
12 telling me the reason, the only ground rule is if
13 there's a pending question, I'll ask that you
14 give the answer prior to leaving the room, do you
15 understand that?

16 A Yes.

17 Q All right. Why don't you tell me how
18 you became the deputy village clerk of Pomona?

19 A I've said the story many times. I came
20 up visiting my sister in Pomona, went to a New
21 Year's Eve party at a neighbor in Pomona, met the
22 mayor, my old friend Nick Wilson who's also a
23 trustee.

24 Q And who was the mayor at that time?

25 A Mayor Brett Yagel. I met him, his

NOREEN SHEA

wife. There was a lot of people there.

Q Do you remember approximately what
year --

A It was New Year's Eve 2015 into the
2016.

Q So December 31, 2015?

A Yes.

Q Okay. And how did you come to talk
about becoming deputy village clerk at that time?

A I didn't talk about it at all. Nick
Wilson was the one -- I told him, I said I'm
going to move back from Myrtle Beach the
employment down there is horrible okay, I said
I'm entertaining the thought, and he said we need
a deputy clerk in the worse way and we have to
clean up all the expired permits, you'd be great
you know everything about construction, you know,
contracting work you'd be really good. And I
said, well it sounds interesting, you know, I
said, but, you know, and they called me and --

Q Was this conversation at the New Year's
Eve party or was it --

A It started at the New Year's Eve party
and probably the next day or two I spoke to Nick

1 NOREEN SHEA

2 Wilson. His three children are friends with --

3 MR. SUSSMAN: No. No. Answer the
4 question. The question was, when was the
5 conversation.

6 Q Right. And Michael is right. I'll ask
7 follow-up questions. So I was going to ask, how
8 do you know Mr. Wilson?

9 MR. SUSSMAN: Go ahead, if you know.

10 THE WITNESS: His three children and my
11 sister's four children are friends. I
12 babysat for him sometimes, I babysat my
13 sister's four kids a lot.

14 Q Okay. So you knew him through your
15 sister's children?

16 A Um-hmm. Ian's daughter's babysat the
17 kids too, if you really want to --

18 Q Just wait. The court reporter can't
19 interpret um-hmm. So the answer is yes to that
20 question?

21 MR. DeGUISEPPE: Read back the
22 question.

23 (Thereupon, a portion of the record was
24 read back by the court reporter.)

25 Q So you meant yes when you said --

NOREEN SHEA

A I met the Wilson's through my sister.

Q All right. What was the next step in your becoming the deputy village clerk of Pomona, did you file an application or were you interviewed?

A They told me to come in and meet with the mayor.

Q Who's they?

A It was Nick Wilson or Brett himself, they gave me a time in the morning to come and have an interview.

Q Had you spoken to Brett before that, before he invited you in telling him your interest inquiring for the job?

A No, that would be Nick Wilson.

Q Okay. And did you in fact meet with Mayor Yagel at the time?

A Um-hmm. Yes.

Q It's okay.

A I know. I have to get used to it.

Q And where was the interview held?

A In his office at Village Hall.

Q Was anybody else in the room while he was interviewing?

1 NOREEN SHEA

2 A When I got there Lou Zummo and Fran
3 were in the office. When I went into the mayor's
4 office, it was the mayor, me, Leon Harris and
5 Francis Arsa Artha (phonetic).

6 Q And just for the record, at that time
7 what role did Mr. Harris have with the village?

8 A Deputy mayor.

9 Q And Ms. Arsa Artha, what was her role?

10 A She was clerk and treasurer.

11 Q And you mentioned Mr. Zummo, what was
12 his position at the time?

13 A Building inspector.

14 Q Do you recall the sum and substance of
15 what was discussed at this interview in terms of
16 the job offer? Was there a job offer made at the
17 interview?

18 A He told me they had -- the village had
19 a lot of problems, I remember they emphasized
20 that. They need somebody to clean up, that's
21 what Nick Wilson was describing that you'd be
22 great at doing this.

23 Q And was there -- at the time that you
24 interviewed, was there a deputy village clerk at
25 that time?

NOREEN SHEA

A Yes.

Q Do you recall that person's name?

A Yes.

Q What was that person's name?

A Carol LaChiana, L-A-C-H-I-A-N-A. Don't
quote me on that.

Q Okay. And did they tell you why they
were looking to replace Ms. LaChiana at that
time?

MR. SUSSMAN: You say they, you mean at
the interview?

Q Interview. Yeah, all my questions
right now are related to the interview.

MR. SUSSMAN: At the interview.

THE WITNESS: I was told she was
retiring.

Q Did you know her approximate age at the
time?

A Seventy-five, I believe.

Q Okay. What is your knowledge or
estimate of her age based on?

A When I started there I believe she was
75.

Q Okay. So at the interview though, you

NOREEN SHEA

didn't know her age, correct?

A No.

Q Subsequent to the interview --

A No.

Q -- subsequent to the interview you came to believe that her age was 75; is that a fair statement?

A Yes.

Q Okay. Just tell me, so we don't spend too long on the interview, I mean, were you offered the position of deputy village clerk at the interview?

A I don't know if it was at the interview. We discussed working on all the expired permits, what the building inspector needed. You know, I was offered the job I don't know if it was right then and there.

Q Were you offered the job in writing or was it in some oral --

A Oh no, phone.

Q Phone?

A Yeah.

Q And who told you that you were being offered the job?

1 NOREEN SHEA

2 MR. SUSSMAN: Who offered you the job?

3 THE WITNESS: The mayor.

4 Q Again, just although we all may know
5 the answers to these questions, we have to get it
6 on the record.

7 A And I came in and filled out the
8 paperwork.

9 MR. SUSSMAN: Just hold on. Listen to
10 each question and answer the question. So
11 the mayor offered her the job, go ahead.

12 Q And what did he say to you in terms of
13 the terms and conditions of the offer; in terms
14 of salary, work day, you know, anything along
15 those lines?

16 A He said I'd be working for the building
17 inspector backing up, you know, the clerk. The
18 salary was -- we always round it, I think it was
19 like 49.

20 Q You can approximate.

21 A I always say 50. Hours were 9:00 to
22 4:00, Monday through Friday, hour lunch.

23 Q Okay. And what was your understanding
24 of the duties and responsibilities of the deputy
25 village clerk position you were being offered?

1 NOREEN SHEA

2 A Their number one goal was they really
3 wanted me to work on their expired permits.

4 Q What kind of permits are you talking
5 about? Just for clarity.

6 A Building permits.

7 Q And how would you -- what was your
8 understanding of how you would work on the
9 expired permits at that time, I'm talking just
10 about the time that you were offered the
11 position?

12 A I would work with the building
13 inspector to go through them, close them out.

14 Q And what do you mean by close them out?
15 If you could be more specific.

16 A Well, we have to -- we laughed a lot.
17 It was comical 'cause I would open up one and
18 say, an in-ground pool permit was opened in 1968.

19 Q Let me just jump here. Let me come to
20 when you started working, 'cause I was just
21 talking about when you were offered the position.
22 When did you actually start working as deputy
23 village clerk?

24 A The official date was February 1st,
25 that was a Monday, 2016. I think I went in -- he

NOREEN SHEA

told me to come in a couple of hours prior that week to meet with Carol, you know, so she could show me, she was the deputy clerk at the time.

Q When you say he, who are you referring to?

A The mayor.

Q That's Mr. Yagel, correct?

A Yes.

Q All right. When you say the mayor it will be Mr. Yagel unless you tell me otherwise.

A Okay. Yeah.

Q And I only say that because the new mayor is sitting right next to me.

A Yeah.

Q Okay. So, did you receive any type of training prior to February 1, 2016?

A Yes.

Q And what type of training did you receive?

A It was a joke.

Q Well, just tell me what was -- just tell me what was involved.

A I had to sit with Carol for the training. And I describe Carol as --

1 NOREEN SHEA

2 MR. SUSSMAN: Just on the training.

3 He's asking you what was the training, if
4 any, what did she do to train you?

5 Q Exactly.

6 A I'm trying to explain that. Carol
7 really didn't train. I'd say we cleaned off her
8 desk, you know, she'd be singing and dancing in
9 the office and I'd be looking at Fran like, you
10 know, she has to show me what we're doing here.
11 We basically cleaned her desk that was stacked
12 this high (indicating) you couldn't see it. By
13 Friday we --

14 MR. SUSSMAN: So you moved your hands
15 up about four feet; three, four feet from
16 the table.

17 THE WITNESS: Oh you couldn't see her
18 desk. You could barely see her.

19 Q I don't mind Michael characterizing.

20 A And the training, it was very little.
21 Carol --

22 Q Well, why don't we break it down in
23 terms of, in what areas or what job duties did
24 you receive training for from Carol? What did
25 Carol show you how to do stuff?

1 NOREEN SHEA

2 A Yeah, I asked her to show me the
3 process for building permits, and she did.

4 Q Okay. What was your understanding of
5 the process at that time from Carol, from talking
6 with Carol?

7 A My understanding?

8 Q Yeah. In other words, what did Carol
9 tell you about the process at that time?

10 A This is the application, you know, you
11 give it to the residents, the calculation of the
12 fees.

13 Q Okay. Anything else?

14 A There is something else and I'm
15 hesitant to say. So I said to her what do I do
16 with this form when I'm finished? And it was a
17 joke. She said, you stick it up your ass. So
18 that's why I say the training was --

19 Q All right. I understand. And we're
20 not here to judge Carol today.

21 A She was funny but --

22 Q All right. Now, was there any
23 discussion of the processing time for an
24 application, building permit application?

25 A That Carol discussed?

1 NOREEN SHEA

2 Q Yeah.

3 A No.

4 Q We're just talking about with Carol.

5 A No.

6 Q Well, did Carol tell you anything else
7 about the building application process at that
8 time?

9 A She just told me, you'll figure it out.
10 You'll work with the building inspector, you guys
11 will figure out. And she was laxed.

12 Q All right. Other than building
13 permits, anything else that Carol told you how to
14 do --

15 A Yes.

16 Q You have to wait until I finish the
17 question. Go ahead, please explain.

18 A Yes, she told me she was also in charge
19 of the planning and zoning boards.

20 Q And what did you understood her to
21 mean by that statement?

22 A That night was a ZBA meeting, she asked
23 me to come.

24 Q Again, what is ZBA, for the record?

25 A Zoning Board of Appeals.

1 NOREEN SHEA

2 Q Well, what did she tell you about the
3 Zoning Board of Appeals meeting?

4 A The zoning board we had prepared all
5 the paperwork and documents, and just happened to
6 be Mr. Bank's case that night.

7 Q Well, let me just back up a second.
8 All I'm really interesting in is training. You
9 know, and by training I mean did Carol or anybody
10 else on or about February 1, 2016, tell you what
11 the duties were, show you how to do something,
12 explain how to do something, otherwise tell you
13 to take a training course or whatever, that's
14 what I'm interested in; do you understand? So
15 just, on or about February 21 outside of the
16 building permit process which you just explained,
17 did you receive any type of training or
18 instruction in how to do any other aspect of the
19 deputy village clerk job?

20 MR. SUSSMAN: I think the question was
21 February 1 not 21.

22 MR. DeGUISEPPE: Oh, I'm sorry.

23 THE WITNESS: So starting on
24 February 1st?

25 Q Yes.

1 NOREEN SHEA

2 A Just little the from Carol, really,
3 cleaning off her desk. And then, you could
4 figure it out working with the building
5 inspector.

6 MR. SUSSMAN: He's not asking you if
7 you could figure it out. He's asking you
8 what training, if any, you got?

9 THE WITNESS: Very little.

10 Q Okay. When you say very little, what
11 else, other than the building permit application
12 did you receive training in anything else, even
13 though it might have been very little?

14 A No, we just talked about planning,
15 zoning.

16 Q Okay. And what were you told about
17 with planning or zoning job function at that
18 time?

19 A The calendar, you know, it would happen
20 on that third Wednesday of each month; we talked
21 about the planning and the zoning, she told me
22 I'd be working directly with the village
23 attorney, you know, she direct me through it, she
24 did.

25 Q Okay. When you say the calendar, you

1 NOREEN SHEA

2 mean the calendar of the ZBA, right?

3 A Yes.

4 Q Okay. Were you told anything about the
5 calendar for the building inspector at that time,
6 inspection calendar for the building?

7 A I made his --

8 MR. SUSSMAN: Listen to the question.

9 Q All I'm doing, and what I'm trying to
10 understand, this is not -- this is just straight
11 forward questions. I just want to understand
12 what training instruction you got when you first
13 started the job. It's not limited to
14 February 1st let's just say within that first
15 month of your employment okay, in February of
16 2016, what type of training or instruction did
17 you receive from, let's say Lou Zummo, if any?

18 A Lou is part-time and, you know, he
19 would show me, would take the application and,
20 you know, that's really how I learned.

21 Q And when did he first show you how to
22 work with an application?

23 A When? You want a date?

24 Q During the first month -- during the
25 first month of your employment as deputy village

1 NOREEN SHEA

2 clerk you told us what Carol said to you. Now
3 I'm asking you, what did Lou Zummo either
4 instruct you on how to do, building permit
5 applications or any other job function related to
6 his duties as building inspector?

7 A Someone came in for a permit, you take
8 out the application, give it to the person,
9 explain to them, I need a drawing if they were
10 doing a deck or whatever the person needed. And
11 then Lou -- Lou basically told me about I need a
12 drawing, I need a Rockland County license from
13 the contractor, each contact contractor. I
14 learned as time went on. I mean, the electrical
15 contract, the plumber, you know, the framer and
16 their three insurances, et cetera.

17 Q Okay. So you're saying that you
18 learned that both, from Low and then also doing
19 the job as well?

20 A Um-hmm. Yeah.

21 Q You have to say yes.

22 A Oh yes.

23 Q Now, who was your direct supervisor in
24 February of 2016 when you started working for the
25 village?

1 NOREEN SHEA

2 A I have to think. This is -- without
3 getting into detail, I said that one day Lou
4 Zummo is my boss and Fran said, no I'm not -- no,
5 I am.

6 Q Okay. Who did you understand to be
7 your boss --

8 A I thought Lou Zummo was my -- I mean,
9 the mayor is the boss but --

10 Q I mean the one you worked with on a
11 daily basis, who was your --

12 A I first assumed it was the building
13 inspector, and he said he was, and then he and
14 Fran started arguing, and when the mayor came in
15 he said he's the boss. And then -- so everybody
16 was my boss.

17 Q Did you have any reporting
18 responsibilities to Fran Arsa Artha also as the
19 village clerk?

20 A No, I reported mostly to Lou.
21 Everything that was done it was Lou and I.

22 Q Did you receive any type of training or
23 instruction in or about February of 2016 from the
24 village clerk, Fran Arsa Artha?

25 A Fran?

1 NOREEN SHEA

2 Q If I just refer to her as Fran, you'll
3 understand what I mean?

4 A Yeah, Fran. No. No, that was the
5 complained; we were supposed to be cross-trained.

6 Q All right. Did there ever come a time
7 when you received any type of training from Fran
8 in terms of the performance of your job duties as
9 deputy village clerk?

10 A Can you repeat that?

11 MR. DeGUISEPPE: Yeah. Can you read
12 that back.

13 (Thereupon, a portion of the record was
14 read back by the court reporter.)

15 THE WITNESS: During tax season I asked
16 her, I had a person come and try to pay with
17 a credit card, she wouldn't --

18 Q And what tax season was that, if you
19 recall; what year or what month?

20 A I think 2016. The tax bill is supposed
21 to go out June 1st. Yeah.

22 Q All right. Just one rule, you can
23 approximate when it comes to time, you could even
24 say a season or approximately tax season 2016, if
25 you don't recall the specific month. Otherwise,

1 NOREEN SHEA

2 I don't want you guessing; do you understand
3 that? Or time of day or morning noon or night,
4 season: Winter, spring, fall. But if you don't
5 know an answer say like, I don't remember what
6 tax season it was.

7 MR. SUSSMAN: I think she did know the
8 answer.

9 MR. DeGUISEPPE: No, but I'm just
10 saying going forward.

11 Q You did answer my question, but I'm
12 just saying going forward. All right. And other
13 than the tax processing, did she tell you any
14 other types of duties and responsibilities on how
15 to do them? In other words, was there any other
16 structure and training that Fran gave you with
17 respect to your duties as deputy village clerk?

18 A She gave me a piece of paper one day
19 that said the duties of the deputy clerk, it was
20 probably, I want to say like a year after I'd
21 been there, I'm guessing when.

22 Q All right, approximately.

23 A And she said to me, I need you to type
24 this and send this to the mayor right away --
25 e-mail it to the mayor right away.

NOREEN SHEA

Q Okay. And that was a job description?

A It said duties of deputy clerk and the end clerk, it was two pages. And I said, the mayor wants it? And she says, yes, you have to e-mail it to him right away. And I remember I went to scan it and e-mail it and she said what are you doing? I told you to type it. And I said, it is typed. And she said, no you have to type it. And I said, I don't understand, it's typed. These are typed. I'm want to e-mail them. You want them --

Q All right, we can get to that in a second. I just want to know, in other words, I consider that to be an order or directive, she told you to do something. I'm asking you what training or instruction on how to perform any job duty associated with your position as deputy village clerk?

A Well, that's when I first got the list. I read it.

Q Okay. And did she tell you how to do each job duty on the list? Did you get any training or instructions as to each job duty?

A No.

NOREEN SHEA

Q Now, when did you officially become the deputy village clerk for the Village of Pomona?

A February 1st, 2016.

Q When were you sworn in as deputy village clerk for the Village of Pomona?

A I do not know the exact date.

Q Okay. And was there a process that you recall that you knew you were being sworn into?

A Oh, you better believe it.

Q And what --

A I was told to stand on one foot, hop around, and hold my right hand up.

Q And who told you that?

A Fran. That's how I know. And we were laughing and so -- and it was just her and I and it was probably a week or two into it, you know, I don't know the date.

Q Okay. And it's what you recall. All right. Were you asked to sign any type of --

A Oath of Office Book, yes.

Q Do you recall when you signed the Oath of Office Book?

A Excuse me?

Q Do you recall what time, what date,

1 NOREEN SHEA

2 month that you signed the Oath of Office Book?

3 If you don't recall, you don't recall.

4 A Like A month or so into the job maybe.

5 I don't know the exact date.

6 Q Well, let me ask you this; after
7 February 1st was Carol, the prior deputy village
8 clerk, still employed at the village?

9 A No.

10 Q So you were the only deputy village
11 clerk at the time, as of February 1, 2016?

12 A Yes.

13 Q Okay. Did you understand your position
14 to be an appointed position? In other words, you
15 were appointed as deputy village clerk by the
16 mayor or somebody else?

17 A Yes.

18 Q Okay. And who did you understand
19 appointed you as deputy village clerk?

20 A The mayor.

21 Q Okay. Did you ever sign the Oath of
22 Office Book again, subsequent date?

23 A Again? No.

24 Q And what did you understand your term
25 of employment to be when you signed the Oath of

1 NOREEN SHEA

2 Office Book as deputy village clerk, what was the
3 length of time that you understood your
4 employment to be?

5 A I think Fran told me it was yearly.
6 But Carol left, so I was in February and I think
7 Carol's term went till April, and then it was
8 passed that I was appointed for another year and
9 I was supposed to be sworn in and I never was,
10 Fran didn't do it.

11 Q Okay. And what was the year measured
12 from that you had for your appointment?

13 A It would be April 1st, 2016 to
14 April 1st, 2017.

15 Q Okay. And were you appointed for a
16 subsequent term of April 1, 2017, on? Were you
17 appointed as deputy village clerk for a second
18 term?

19 A I was appointed. The building
20 inspector told me I was appointed and he was
21 laughing and he said Fran was so mad, and that's
22 when I said why?

23 Q Well, let me ask you this; did the
24 mayor tell you that you were appointed for a
25 second term as deputy village clerk?

1 NOREEN SHEA

2 MR. SUSSMAN: Just so we're clear, when
3 you say second term do you mean from April
4 '16 to April '17, or do you mean from April
5 '17 on?

6 MR. DeGUISEPPE: April '17 on.

7 MR. SUSSMAN: So that would be the
8 third term, because she was finishing out
9 the first one and she was elected in '16 of
10 April, she said, just so we're clear.

11 Q Okay. I understood that when you were
12 hired -- when you're appointed on February 2016
13 you were finishing out the term of Carol, the
14 prior clerk, correct?

15 A Yes, till April 1st.

16 Q And your term, your one-year term as
17 deputy village clerk began on April 1, 2016,
18 correct?

19 A Yes.

20 Q So now my question is, without getting
21 into the number of years, did the mayor or anyone
22 else tell you that as of April 1st, 2017, you
23 were pointed for another one-year term?

24 A Did the mayor tell me? No.

25 Q Or anybody else? The mayor or anybody

1 NOREEN SHEA

2 else tell you that you were appointed for another
3 one-year term?

4 A No.

5 Q Did you have any type of employment
6 contract with the Village of Pomona with respect
7 to your deputy village clerk job?

8 A Employment contract?

9 Q Yeah. Meaning for a one-year term or
10 any other term?

11 A No.

12 Q That's just no?

13 A No.

14 Q Now, let's just go back to the building
15 permit application process. You worked with the
16 building inspector, Lou Zummo, with respect to
17 that process?

18 A Yes.

19 Q Okay. And how long did it take -- did
20 there come a time when you had a better
21 understanding of the process of the building
22 permit application process?

23 A Yes, Lou and I --

24 Q And how long did that take? My point
25 is, how long did it take you to get a better

1 NOREEN SHEA

2 understanding of the permit process?

3 A Very short period. Lou and I were
4 close.

5 MR. SUSSMAN: You answered.

6 Q And just tell me, how did you come to
7 learn the building permit process in this short
8 time, was it Lou or somebody else teach you the
9 job?

10 A I know a lot about the contracting
11 world. I knew a lot, to begin with going in. I
12 had to learn their way, their paperwork.

13 Q Well, what was your prior experience
14 with the being permits or the process, as you
15 say?

16 A I like home improvements and
17 contracting, it's in our family. As a child, I
18 was telling Mr. Sussman, my father -- we built
19 numerous houses together. I'd be nine years old,
20 all five kids would help my father. So, am I a
21 contractor? No. But do I know a lot about the
22 process and how it works? Yes.

23 Q Okay. And from what you knew from,
24 let's say your family relationships, how did that
25 help you as the deputy village clerk?

1 NOREEN SHEA

2 A Oh, immensely. Lou and I would have
3 great conversations on, you know --

4 Q Well, can you be more specific as to
5 how did it help you in terms of processing a
6 building application?

7 A I understood how it worked, you know,
8 the pouring of the foundations, to framing, the
9 inspections; electrical, plumbing, and all the
10 final for C/O. I understood how a lot of that
11 went.

12 Q All right. And what was your
13 understanding of the timeframe for processing a
14 building permit, when you were deputy village
15 clerk for Pomona?

16 A It could be 30 days.

17 Q And why was it 30 days, to your
18 understanding?

19 A You have to review the plans, approve.

20 Q Okay. Was 30 days something -- a
21 policy of the village, or was it set forth in
22 some type of statute or regulation or law?

23 A I don't know village policy.

24 Q Okay. Was 30 days, in your opinion was
25 30 days a reasonable period of time to process a

1 NOREEN SHEA

2 building permit application?

3 A In my opinion?

4 Q As deputy village clerk? Again, all my
5 questions relate to you as deputy village clerk.
6 Yes, in your opinion, was 30 days sufficient to
7 process a --

8 A I don't think my opinion counts on
9 anything, it's what the policy is.

10 Q Well, when you were processing the
11 building permit application as deputy village
12 clerk, was 30 days enough time to process an
13 application?

14 A Yes.

15 Q Were there occasions when it was not a
16 enough time to process an application?

17 A Were there occasions?

18 Q Do you recall any specific instances
19 where 30 days was not enough time?

20 MR. SUSSMAN: Just note my objection.
21 It's not really clear when you say not
22 enough time. You can answer the question,
23 if you understand it. Was it enough time
24 for whom?

25 MR. DeGUISEPPE: Well, for her.

1 NOREEN SHEA

2 Q From your point of view. Were you able
3 to --

4 A It doesn't matter what I think, I'm not
5 the one approving it.

6 Q All right. Do you recall any specific
7 instances while you were deputy village clerk,
8 where 30 -- where you were unable to process a
9 building permit application from the 30-day
10 period?

11 A There was a couple that sat on my desk
12 for six months, one that sat there for a year.

13 Q Well, I want you to tell me about each
14 one of those; whose application it was and what's
15 the reason for the application sitting there for
16 longer than 30 days?

17 A They were waiting for --

18 Q Who's they?

19 A Who's they? The building inspector --
20 I'm trying to think. Hold on, wait, I'm trying
21 to think of the name. I forgot the name. But I
22 would constantly ask him. They were grading the
23 backyard I believe. Gosh, what's the name? And
24 she actually wrote me a check, that's the reason
25 I would question it. And I would show him month

1 NOREEN SHEA

2 after month, oh waiting on Joe Corless
3 (phonetic), the village engineer to approve; or
4 I'm waiting or Doris Ulman; or we're waiting on,
5 the name was Celentano, I always remembered that.
6 So whatever, you know, they were waiting on
7 something, you know, some approval of something.

8 Q This was a building permit application
9 of someone named Celentano, is that it?

10 A No. No, no, he was the contractor that
11 was doing this grading.

12 Q Do you recall who he was doing the
13 grading for or who he wanted to do the grading
14 for?

15 A You know --

16 Q You can't ask him questions.

17 A I know. I can't think of the name.
18 Wait a second. Okay. It will come. Not right
19 now. Give me -- it'll come to me. I can see the
20 check on my desk, it was there for a year.

21 MR. SUSSMAN: Okay. Let Mr. DeGiuseppe
22 ask you what he'd like to.

23 Q Okay. You said there was more than one
24 instance where you weren't able to process an
25 application in thirty days you identified this

NOREEN SHEA

Celentano you said it was an engineer. Any other specific instances come to mind where an application was not -- where a building permit application was not processed within 30 days?

A Oh, Robert Klein was the classic case.

Q Who was Mr. Klein?

A Mr. Klein was a resident.

Q And --

A He's a trustee now, I believe.

Q What did that case involve?

A I know he applied for a permit numerous times. Very persistent gentleman. Raising his house.

Q And what was your understanding of why his application was not processed within 30 days?

A My understanding? He told me they wanted to put in a basement, I think the ceiling was really low and they wanted to make it liveable, and they were raising the house a couple of feet so they can have the downstairs.

Q Okay. That tells me what he wanted to do. But I guess I'm asking, why wasn't the village able to process that application within 30 days?

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A Why?

Q If you don't recall --

A I don't want to -- I could hear the building -- Lou Zummo's comments: He's building a hotel. I mean, I don't know why. I mean, I could hear all the sarcasm.

Q Again, you don't know why it took more than 30 days; is that your answer?

A It went on. It went to the ZBA.

Q No. But my question is, do you know why Mr. Klein's application took more than 30 days to process?

A Besides all the sarcastic comments, no.

Q Was his application ever approved?

A No, it went to the ZBA.

Q And do you know what happened at the ZBA?

A Oh gosh, yeah. That was bad.

Q Bad for whom, Mr. Klein or the village?

A No, I think for the village. I remember they said it should never have gone to the ZBA, it should just be a permit. And it went back to Lou. He did get the permit.

Q Mr. Klein got the permit?

NOREEN SHEA

A Um-hmm.

Q You have to say yes, you can't say um-hmm. You didn't say yes, you said um-hmm but she can't interpret.

A Mr. Klein did get the permit.

Q How about the grading permit, was that ever approved, as far as you know, the one that you identified Mr. Celentano being --

A I don't know. I got fired. I never -- that was still on my desk, I gave it to Fran.

Q Okay. So that was still pending?

A Um-hmm. The check was still on my desk.

Q Aside from these two instances, any other specific cases where a building permit application was not processed within 30 days?

A I can't recall off the top of my head.

Q All right. When you were deputy village clerk, when someone filed a building permit application what were the steps in terms of processing that application and ultimately making a decision on it whether approved or denied?

A Okay. Lou Zummo was not there a lot,

1 NOREEN SHEA

2 part-time. If he was there I usually got him an
3 hour or two in the morning and then he did
4 inspections. His time was precious. People
5 would come to the counter, I want to make a
6 kitchen or a deck or whatever, I would say okay
7 the building inspector is here Monday, Wednesday,
8 Friday -- depends because sometimes he was
9 Monday, Wednesday, Thursday, and I would say the
10 best time to catch him is before 9:00 -- because
11 Lou is usually in early, if you want to have a
12 conversation with him.

13 This is the application I need you to
14 fill out this, this, this, this; very specific.
15 I'd say, you can ignore this part. I need a
16 drawing, I need to know who your contractor is,
17 write it down. I need your Rockland County
18 license, I need his three insurances. If it was
19 a deck, that was it. If it was putting in a
20 kitchen, I needed your electrician, I needed your
21 plumber, it would even go into detail. So it was
22 pretty specific. I emphasized to people exactly
23 what they needed.

24 Q Okay. And after would you make this
25 request of the applicant, like what would happen

1 NOREEN SHEA

2 next after they provided you with all the
3 requested documents?

4 A I gave it to Lou Zummo and then Lou
5 would have to deny it or approve it.

6 Q What was your understanding of how he
7 was supposed to do that, did he conduct an
8 inspection?

9 MR. SUSSMAN: Objection to form.

10 THE WITNESS: How?

11 Q Yeah. In other words, you say you gave
12 it to Lou Zummo to deny or approve, what was your
13 understanding of how Lou was supposed to do this?

14 A He would look at the drawings, look at
15 the contractors, make sure all the paperwork, you
16 know --

17 Q Did you schedule inspections for Lou?

18 A Yes, all of them.

19 Q And you were responsible for scheduling
20 these inspections?

21 A Yes.

22 Q Okay. And what days of the week did
23 you schedule these inspections for him, if you
24 recall?

25 A The days he was working, usually

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Monday, Wednesday, Friday. He was part-time, then he was full-time, and then he was part-time again, then he was full-time, then he was back to part-time, so depending on --

Q Depending on the timeframe?

A Um-hmm.

Q So when he was part-time, how many hours a day did he work?

A Usually 9:00 to 1:00, was his scheduled time.

Q On average, how many inspections did you schedule a day for Mr. Zummo?

A Probably anywhere, it could be two, three, four, zero.

Q And --

A Never -- not a lot. Like he would tell me, in their mind, he had 15 inspections yesterday or 25 inspections, you know, so we never reached those numbers. Never.

Q And how long was each inspection scheduled for?

A It depends on what kind of inspection is it.

Q Can you give me examples?

1 NOREEN SHEA

2 A Like the violation search; if someone
3 is selling their house we would have to go in
4 mostly looking for the carbon monoxide, you know,
5 smoke detectors. We could look -- I would print
6 out all the permits on the house, say there was
7 zero or no permits and there was a pool in the
8 backyard and a deck, then we would know, or you
9 go downstairs and there was an illegal basement,
10 that's how we found a lot of things.

11 Q So those are inspections conducted in
12 connection with the sale of the house?

13 A Yes.

14 Q If someone wanted to install a new
15 kitchen, how long would that inspection be
16 scheduled for?

17 A Well there's numerous inspections for
18 that kitchen, you know.

19 Q Can you explain the steps. What are
20 the different types of inspections that you're
21 required for that?

22 A Are we moving walls? Framing, there's
23 electrical, there's plumbing. Depends on what
24 you're doing.

25 Q So it would depend on the nature of the

1 NOREEN SHEA

2 work?

3 A Um-hmm. And then, you know, when it's
4 all closed up and --

5 Q Did Lou ever complain to you about your
6 scheduling of his inspections?

7 A No, but the mayor.

8 Q Okay. And when was that, if you
9 recall: Was it constant, was it once, was it
10 more than once?

11 A No, it was a lot. It was a lot. The
12 mayor had a lot to do with messing up our
13 scheduling.

14 Q Okay. And can you be more specific
15 about how he messed up?

16 A I would have Lou scheduled for two,
17 three, or whatever appointments, and the mayor
18 would come in and say, Lou I want you in my
19 office and take him in; this happened dozens of
20 times.

21 Q Let me just take a step back. The
22 scheduling of inspections, did you do this on a
23 weekly basis, a monthly basis, or as-needed
24 basis?

25 A As-needed basis.

1 NOREEN SHEA

2 Q Okay. And was this on some kind of
3 computer program that was accessible by the mayor
4 or anybody else?

5 A It was accessible, most I would say
6 every inspection I sent to Lou and mayor almost
7 every e-mail I sent out the mayor was CC'd on.
8 If I put an inspection on, it was sent to him
9 right away.

10 Q Sent to who, Lou or the mayor?

11 A Lou and the mayor.

12 Q Was it put on a calendar or was it just
13 an e-mail?

14 A It was a calendar.

15 Q Was it a Microsoft Office calendar or
16 something?

17 A Yes, Outlook.

18 Q All right. And you said the mayor had
19 issues with certain scheduling. Can you think of
20 any examples where he had an issue with your
21 scheduling?

22 MR. SUSSMAN: Objection to form. You
23 can answer.

24 THE WITNESS: Can you repeat that?

25 Q I think you said, you indicated that

1 NOREEN SHEA

2 Lou didn't have any issues with the scheduling,
3 correct?

4 A Not really. No. Lou really -- we had
5 a good communication, Lou and I at first and we
6 were, I mean I thought good friends.

7 Q Well, did the mayor have any issues
8 with your scheduling of the building inspector?

9 A Yes.

10 Q Can you recall any specific examples of
11 where he had an issue?

12 A A lot. Well, I shouldn't say a lot.
13 Like I remember this one when Mr. Hirskowitz
14 would call up. And Mr. Hirskowitz is an orthodox
15 builder, everybody knows him, he's building 41
16 homes. I don't know what it is now, but back
17 then it was 41 homes. And I remember when he
18 called and I said, oh I got a cancelation I'll
19 put you on tomorrow; oh my gosh, I got in so much
20 trouble. It was like -- and I couldn't
21 understand why.

22 Q Well, let's just back up a second, it's
23 not clear who you got in trouble with. I mean,
24 you tell Mr. Hirskowitz you could put him on for
25 tomorrow. Okay. Now, did he accept that? Did

NOREEN SHEA

he wanted to have it the next day?

A Oh wonderful.

Q Okay. Now, what happened next that you had trouble?

A I remember the mayor was questioning me, I see you put this on the calendar, you know, how much time, when did he call, you know, he called this morning. And he questioned me, why did you put him on so fast? Why did you -- you know, and I'd say well I had a cancelation.

Q Okay. And did the mayor tell you why he didn't want to have Mr. Hirskowitz's inspection done the next day?

A He would not say why, no, he would not give that. He would say that, you know, you can make them wait, you know, a week or 10 days, you ever don't have to do that; that was said a lot.

Q Okay.

A And believe me, as time went on I tried to play that game and schedule a week or two out so I wouldn't get in trouble.

Q Well, how often was the mayor in the office during working days?

A Oh, I would say every single day. And

1 NOREEN SHEA

2 everybody was praying that he would get a job,
3 that's all they kept telling me.

4 Q All right. So approximately how many
5 hours a week did he work as mayor?

6 MR. SUSSMAN: You mean at the office?

7 MR. DeGUISEPPE: Yeah.

8 THE WITNESS: How many hours was he
9 there when I first started? He was there
10 before I got there, a lot of times sitting
11 at my desk, and he was there when I left. I
12 mean, he put a lot of hours.

13 Q Did you ever complain that the mayor
14 was only there for 12 or 15 hours a week?

15 A Did I ever complain?

16 Q Yeah.

17 A No.

18 Q All right. So what was your
19 understanding of why the mayor had an issue with
20 the scheduling of Mr. Hirskowitz's inspection the
21 day after he requested it?

22 A At first I didn't understand why. I
23 had an opening, you know --

24 Q And did there come a time when you
25 formed an opinion as to why --

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A Well, Lou would basically tell me,
yeah.

Q And what did Lou tell you?

A Lou? You guys know Lou, right? Lou
would say, you're helping the Jews, that's why,
and he would always do that. And he would always
talk in that manner.

Q Imitating a --

A Yes.

Q -- a Jewish accent?

A Yeah. He would say you could have made
that in a week or two, that appointment, and then
I'd be like but somebody canceled, you're
available, and that was no, no, no.

Q Aside from Mr. Hirskowitz, can you
think of any other individual who the mayor had
an issue with the scheduling because that person
was of the Jewish faith?

A A lot -- honestly all the folio
requests, all the inspections.

Q I'd like you to give me names of anyone
other than Mr. Hirskowitz that you can recall, as
you sit here today?

A Well Mr. Hirskowitz is the builder,

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so -- a specific name?

Q Yes.

A No.

Q When Lou was talking about helping the Jews, was he referring to all Jews or a certain sect of Jews that live in the village?

A You would have to ask Lou that question, first of all.

Q What you understood?

A Lou told me, I remember one day, he's like there's, I think there was four or five levels of Jews and he said the lowest are the real Hasidics, and he did this whole impression of, you know -- but the orthodox are the classy ones, and he did this whole description of them. And I remember he said my neighbor, oh that's not a real Jew, the Shavacmans' (phonetic) they were good friends of ours, and I said what do you mean? They weren't Orthodox. So as time went on you got the picture of what was going on.

Q Well, let me ask you this, before you had this encounter with Lou, I mean what was your understanding of the different sects of Judaism, of those residents of the village?

1 NOREEN SHEA

2 A I grew up in a very Jewish
3 neighborhood, I don't really think --

4 Q Well, you mentioned the word Orthodox
5 to describe --

6 A Um-hmm.

7 Q You have to say yes.

8 A Yes.

9 Q Okay. Can you name any other sects of
10 Judaism as you sit here today?

11 A Hasidic and -- no, I don't know any --

12 Q I'm just asking what you know.

13 A Yeah. I really don't know that but,
14 you know --

15 Q Did you ever hear Mayor Yagel tell you
16 not to schedule a building inspection for someone
17 because they were Jewish?

18 A Never said those words.

19 Q Well, that's what I'm asking you.

20 A He would say, you can make them wait 10
21 days.

22 Q Did he tell you why to make them wait
23 10 days?

24 A No, he wouldn't say why.

25 Q So basically your understanding is,

1 NOREEN SHEA

2 from what Lou told you about, the mayor's reasons
3 were wanted to delay building inspections for
4 certain individuals of the Jewish faith?

5 A You could see -- the vocabulary there,
6 you know. Why did you --

7 Q No, I'm just talking about the mayor.
8 That wasn't responsive.

9 MR. SUSSMAN: That was responsive
10 because you said the only reason that you
11 came to that conclusion is because of what
12 Zummo told you, she's answering the
13 question, so it is responsive. Explain the
14 basis, he's asking, if I hear what he's
15 asking you, from your belief that the mayor
16 had antisemitic agenda? That's what you're
17 asking.

18 MR. DeGUISEPPE: Right.

19 THE WITNESS: Yes. You heard on the
20 tone.

21 Q And what it's based upon?

22 A You heard in the tone. You know it was
23 a antisemitic atmosphere. You knew it. You felt
24 it. It was, the them. You don't have to get
25 them. That was -- I used to say, who's them? A

NOREEN SHEA

lot.

Q All right. Did he ever tell you what he meant by the them?

A 99 percent of the people that came to that counter were Jewish, mostly Orthodox Jews.

Q Okay. But I'm asking you, how did you -- from hearing the mayor say things or whatever other interaction you had with the mayor, did you ever hear him say anything that you considered to be antisemitic or otherwise treat Jewish applicants differently?

A You heard the anti -- you can hear it in the tones in the -- the classic one was: Go buy pork rinds for our guests when they come in, ha, ha, ha, ha; that's not funny.

Q How many times did he say that?

A How many times? Once. But wow. I remember that.

Q Were there pork rinds bought for --

A No. Of course we wouldn't put it on.

Q And there was a candy dish right, on the counter, is that --

A Fran and I, and I suggested Kosher.

Q Okay. I just want to put this in

1 NOREEN SHEA

2 context, the pork rind comment. In the village
3 clerk's office there's a candy dish, correct?

4 A Usually a cookie.

5 Q All right. And that's what he was
6 referring to when he said pork rinds, to put pork
7 rinds in there instead of the cookies or candy?
8 I'm trying to put it in context.

9 A I don't understand. What are you
10 saying, the candy dish?

11 Q Okay. What was your understanding for
12 the reason he asked you to buy pork rinds?

13 A He said the comment, I was shocked.
14 Fran was shocked. We were all shocked that he
15 made such a comment, you know, and laughed and
16 walked out and I was, like, wow, wholly macro,
17 like. So that is the kind of environment you
18 felt. So when you ask me, did he say? He didn't
19 say, don't give the Jews permits, but you knew.
20 You felt this antisemitism that -- well, why are
21 you giving them, you know? So it was -- I was
22 frustrated. It was like okay, you want me to
23 make them wait? I remember an 18 FOIL request on
24 my desk and Fran would say, why do you have this?
25 I have to make them wait. This one's got four

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days left, this one's got three. I had 18 of them. I said, isn't that what I have to do? Because you guys constantly yell at me if I do things too fast or if I help people.

Q Well, let me just back up. What was the context of the mayor making the pork rind comment, was it he just blurts it out or was it some other reason that he was responding to some statement made by someone?

A I guess blurted it out.

Q No. You were there when he said it correct, the pork rind statement?

A Oh yes.

Q Okay. Did he walk into the room where you were and just blurted it out or did something else happen at the time?

A First of all, the mayor is there a lot. He's standing at the counter, Fran and I are sitting there. Did he just walk in? He's there a lot. I don't really understand what you're --

Q No, I'm asking what you recall. Was there any reason -- I'm sorry. What were the circumstances of him making that comment, did he just walk in the room and blurt it out or did

1 NOREEN SHEA

2 something else make cause him to say that?

3 A I don't know.

4 Q To your understanding.

5 MR. SUSSMAN: Just let me try it for
6 one minute. Before Yagel made this comment
7 that you testified about, do you remember
8 whether there was a discussion going on as
9 between you and him and anyone else?

10 THE WITNESS: No, I don't recall.

11 MR. SUSSMAN: All right.

12 Q And you made a comment that 99 percent
13 of the applicants were of the Jewish faith for
14 building permits.

15 A Um-hmm.

16 Q Correct?

17 A Yes. Most of the people --

18 Q Just 'cause you said um-hmm again.

19 A Yes.

20 Q All right. So what is your basis of
21 comparison that the mayor wanted the building
22 applications of Jewish applicants delayed
23 processing on, if 99 percent were Jewish?

24 MR. SUSSMAN: Object to form. You can
25 answer.

1 NOREEN SHEA

2 THE WITNESS: You could see when I
3 would give Lou -- Lou what's going on
4 Mr. So-and-so called, you know, it's three
5 weeks; woe, woe, woe, why are you rushing
6 me? I'm not rushing you I just want to know
7 status, it's three weeks. You know, that
8 would happen. You know. And Lou would
9 basically say, I can't do it too fast so
10 kill me if I give them the permit, you know.
11 You felt the delay. You knew. I'd say,
12 okay, you know, but just they called again
13 or they called for the tenth time or they
14 want to know the status of it, you know.

15 Q Now, you're talking about specific
16 cases or the 99 percent of the applicants who
17 applied?

18 A Most of the applicants, you know. And
19 they would always say, you know, when would my
20 permit be ready? And I'd say, the building
21 inspector has to approve it, and this and that.

22 Q All right. Did you ever witness Mayor
23 Yagel impersonating a Jewish resident or any
24 other --

25 A Yes.

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Q Okay. And who did he impersonate?

A Who?

Q Yeah.

A Well, probably Mr. Hirschowitz would be one. But they would --

Q I'm talking about the mayor now, not they.

A Okay. But the mayor was always talking to Lou. The mayor and Lou. And they always did their -- we got to make the monies, you know, so they were always doing this banter back and forth in this --

Q Jewish accent?

A Yeah. What is that comedian? Oh, I can't ask a question. But he always did that, you know. Every day it was that environment and so you saw it, you felt it, you knew it.

Q Were you responsible for handing that Freedom of Information Law request?

A Yes.

Q And what was the process for handling these types of requests?

A Person -- mostly realtors, I would say that was most of my FOIL request and they just

1 NOREEN SHEA

2 wanted, not residents, people looking to purchase
3 a home would come to the counter and ask to see
4 the survey or the file of a certain property they
5 were interesting in buying, that was mine.

6 Q Okay. Was there a form they had to
7 fill out to complete the FOIL request?

8 A Yes.

9 Q And what was that form called?

10 A FOIL request form.

11 Q And what was the processing time?

12 A Five days. I did mine that --

13 MR. SUSSMAN: You answered the
14 question.

15 Q What was the procedure at that time?
16 When you were a deputy village clerk, what was
17 the procedure for processing the FOIL request?

18 A I would get the FOIL request, they
19 would ask for the survey, I would get the survey
20 make the copy 25 cents, then I would fill out a
21 receipt book for 25 cents, give it to them, thank
22 you, have a nice day.

23 Q Outside of surveys, did you have any
24 other types of FOIL requests that you handled?

25 A Yeah, it could be anything in the

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2 building department; zoning, planning.

3 Q Just give me examples.

4 A You can ask the blueprints, the sewer
5 plan, the -- you know, the file is a public
6 knowledge of a property so you can ask for
7 anything that's in that file on that house.

8 Q Did there come a time when you had to
9 have someone else review a FOIL request that you
10 were handling?

11 A I'm sorry?

12 Q Were there any occasions in which you
13 had to have someone else from the village review
14 a FOIL request other than yourself?

15 A Review?

16 Q Yeah.

17 A Probably every one of them was reviewed
18 either by Doris or the mayor; you didn't do
19 anything without approval.

20 Q And just for the record, who was Doris
21 at the time?

22 A Doris Ulman, the village attorney.

23 Q Just for the record. All right. And
24 did they give, either one of them give you
25 instructions to have them review a FOIL request

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2 before filling that request?

3 A Did they give me intrusion?

4 Q Yes.

5 MR. SUSSMAN: A general instruction is
6 what you're talking about?

7 MR. DeGUISEPPE: Right.

8 MR. SUSSMAN: Was there a general
9 instruction that they approved or reviewed
10 the request before you gave it to the
11 general public, is what he's asking, just
12 generally.

13 THE WITNESS: No, I would get the FOIL
14 request, a survey, if it was simple. But if
15 it was somebody asking for -- I remember
16 there was an Orthodox man asked for a file
17 on -- I'm trying to think of the address, I
18 think it was 82 Halley I believe it was, and
19 it was just starting the undedicated
20 properties, I believe that's the one, and he
21 asked to see the file and filled the FOIL
22 and I gave him the file I remember I got in
23 trouble, I had to hold the file back from
24 now on, don't let them see it. And me
25 sitting at my desk they have to tell me what

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2 they want to see, so you would have to ask
3 specifically you know.

4 Q I thought you were going to start
5 answering the question that you said there were
6 certain types of FOIL requests that you had to
7 have someone else review, in general. In
8 general, what types of --

9 A Yeah, what happened was --

10 Q In general --

11 A That one I had to give to Doris.

12 Q Hold on, let me finish. In general,
13 what types of FOIL requests would have to be
14 reviewed either by the mayor or Ms. Ulman?

15 A This one was on an undedicated road,
16 this home, so I believe I sent it to Doris and
17 the mayor oversees everything so, and I remember
18 it became a big issue because it was right on the
19 border this house was on the dedicated part of
20 the hill and that one wasn't, and the man wanted
21 to build a home. Basically I gave --

22 Q Do you recall the man's name?

23 A It's a hard name to remember. No, I
24 can't. It would be a difficult name.

25 Q You said that he was an Orthodox Jew,

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2 how would you know that?

3 A By his attire, you know, the normal
4 yamaka, the tassells.

5 MR. SUSSMAN: Let me take a two-minute
6 break.

7 (Thereupon, a short break was had.)

8 (Thereupon, a portion of the record was
9 read back by the court reporter.)

10 Q I just want to try one more time about
11 going back to the FOIL requests. Were there any
12 specific instructions or directives to you to
13 have certain types of FOIL requests reviewed by
14 either Doris Ulman or the mayor? And if yes,
15 what types?

16 A Again, I want to emphasize, a FOIL
17 request that I did never went out unless it was
18 approved by Fran, the mayor or Doris, even if it
19 was just a survey. So what would be -- like, I
20 remember when that man asked for information on
21 that 82 Halley it was an undedicated property, so
22 I had to ask Lou about it, Doris, and of course
23 the mayor he CC'd on everything, so that would be
24 one. Another one, Mr. Banks when he came in and
25 he FOIL'd all open permits and that turned into a

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huge -- 'cause I went right to my computer I went open permits 1967 to current and printed it out and Doris Ulman said, that document never existed. We didn't have it, so deny it. And I remember seeing him, Doris and Brett were both going, but you made it, and I said but you can you just punch it in, you know, permits, open, and it automatically prints; but we didn't have it, you don't have to give it to him, so that was another example.

Q All right. Let me ask you this; what was Fran -- and I'll call her Fran also. Was Fran also responsible for responding to FOIL requests?

A Yes.

Q Okay. And was there some type of delineation between your job duties for FOIL request and your job duties for FOIL request? And if so, please explain.

A She took care of her clerk duties, treasury any of those kind of FOIL requests. I took care of mostly building, if anyone wanted minutes of a planning board meeting or a ZBA meeting, now they had to be approved.

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Q Which ones?

A Minutes of a planning board meeting or
ZBA matter.

Q Those types of requests had to be
approved?

A Approved.

Q By who?

A Mayor, Doris Ulman. Very hard to get
those. Very hard. They were off premises.

Q Okay. Did you handle any types of
those --

A Yes, it took me a while. I had to get
from the woman who did the minutes at the meeting
it was Mavrin Toll (phonetic) I think, and she
stored everything at her house.

Q Who's she?

A She would take the minutes.

Q Oh, the woman who took the minutes?

A Yes. So I remember a gentleman came in
and he wanted the minutes of a meeting, and it
was just so hard to get, then it had to be
reviewed by Doris, the mayor, this, it took a
long time before I could get them approved.

Q Okay. And why did it take a long time,

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in your opinion, to get them approved, the minutes?

A You couldn't get the minutes of the meeting in the Village of Pomona. Why?

Q Your understanding of why?

A Nothing was really -- I used to ask them why wasn't it on the website? Everybody else has it on the website. Our website still is so -- it said 2015 on it and we were in 2017. No information could be released. Nothing.

Q Let us move on to the next one. First of all, I just want to go back on, you said when you first were hired that the building permit system or the processing system needed work or words to that effect; what did you do, if anything, to improve the building permit process?

A Not very much of anything. We had a new software that they purchased, BAS software, and I was so excited. And I was asking, I remember the gentleman's name Gus, you know, can it do this? Can it do that? Can we -- everything phone call that comes in with the complaint on whatever it is, my neighbor's dog is barking, or a light, can I document, you know,

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and put notes, you know, they complained this year about garbage can, dog, et cetera; this system could do everything. It could do everything. It was wonderful. And I said, can I scan all the documents in? I couldn't scan the blueprints they're too big, all the documents in the file, we're in a digital system, can we update this? I was so gun-ho. Waited and waited and waited months and months and I kept asking, when are we going to do this? When are we going to set up the meeting? Can I set up the meeting? I would call Gus. I would call BAS.

Q Were you trained in the use of the software?

A No.

Q Okay. And did you want to be trained in the use of the software?

A Oh gosh, for months I was begging them. Let me do it. You're not authorize.

Q When you say them, who didn't authorize you to be trained?

A Mostly Fran I would ask. Lou said it too. And then they wanted me to collect documents on like, let me see Airmont's permits

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and this one's, so I collected. I would go to Airmont and get all their, you know, their permit application what it looked like. I went to Orangetown, I could have called Goshen, I collected -- let me see your planning board paperwork, let me see this -- and I was comparing. Lou is this one better? Do you like this? Because ours was really bad, outdated. Most of the form we don't even use and it's just overwhelming when people look at it and they stand there and go, how do I do this? So I usually would highlight.

Q All right. Just going back to the use of the software. I mean, in your opinion this would have helped you clean up the mess that you were talking about, the building applications?

A That would have helped immensely. Lou being full-time would have helped too.

Q Okay. Anything else would have helped, in your opinion, in terms of cleaning up the back log of the building permit applicants?

A My No. 1 job, I remember they told me, was to go through all the expired permits. And I told you the day I had it all organized and Lou

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said I'm not doing it, I'm part-time. You make 50,000, she makes 60, I make 30. I'm not doing this till I'm full-time. And I said, but the mayor wants me to do these expired permits.

Q Did you tell anyone that Lou wasn't doing this requested job?

A Well, yeah. I basically told the mayor, listen you want me to do this but Lou doesn't -- you know, he said he's part-time he doesn't have time, Fran heard, she was sit there.

Q Well, did you do this function, job function?

A I tried to squeeze a couple in, like say he had an inspection on Jade and one inspection then I would take two expired Jade permits, and they could be 20, 30, 40 years old, and say do me a favor can you just see if this deck is on, or, you know, maybe we could close this one out.

Q Let me just go back. On the backlog of these building permit applications, you indicated before a stack of documents on, I guess the other clerk's desk, what was your reason or do you form an opinion as to why there was this backlog as to

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2 this building permit application processing?

3 A There was an environment of -- you felt
4 this antisemitism: They're taking over. They're
5 taking over the village. The Orthodox are taking
6 over the village. It was a slowdown process, you
7 know. Half -- they would say like, half of
8 Brooklyn is coming here. I made my own
9 spreadsheet and I remember it was all the people
10 would purchase the violation search, I made it.
11 I made a full load, and I would show within a
12 year and a half 300 homes sold, most people from
13 Brooklyn, you would see the new home owner,
14 mostly Orthodox. There's only 1200 homes in the
15 village.

16 Q Maybe I'm not making myself clear.
17 Before we estimate it, I think your attorney said
18 the 4-foot stack of papers as the backlog when
19 you first came in as Carol's desk.

20 A Oh, Carol's desk?

21 Q Yes. What did that backlog consist of,
22 what types of building permit application or
23 other documents were on her desk when you took
24 over?

25 A Oh, that was Carol's everything from

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2 years of planning boards, ZBA. It was just a
3 mess. It was just paper. It was underneath the
4 desk, you couldn't put your feet underneath the
5 desk there were boxes everywhere. No, that
6 wasn't a backlog of permits, that was everything
7 that she probably worked on over the years.

8 Q So it was more of a filing issue rather
9 than a backlog issue?

10 A Yeah.

11 Q Now, what about the issues of the death
12 certificates; did you receive any training in
13 terms of how to issue death certificates?

14 A I received zero training until after
15 Fran returned.

16 Q Okay. Was that one of your job
17 functions, to issue death certificates?

18 A Fran jumped up and did, I want to say
19 every single one that came in, and you got paid.
20 You got paid to do that. You got a little cash
21 on the side.

22 Q Well, who did you get paid from?

23 A The village.

24 Q Okay.

25 A For every, you know, certificate, how

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many copies they wanted with the death certificates. So if they wanted this many, so sometimes she could make 100, sometimes she could make 200, sometimes she could make 300. When she was gone I made \$200 and I received a check from the Village of Pomona and I told Lou and Fran, I'm taking you guys to lunch, which never happened.

Q When you performed that function were you acting as a deputy registrar of vital statistics?

A Yes.

Q And what did that position require other than death certificates?

A You have to fill out the book and you got a permit to transfer the body, it's usually a rush when a Jewish, an Orthodox person passes away it's usually in the next day, in that instance --

MR. SUSSMAN: He's not asking you about instances. Just listen to the question and focus on what he's asking you.

Q Yeah. I'm focusing on when would you perform the duties of the deputy registrar of

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2 vital statistics?

3 A The first time I did it was when Fran
4 was on vacation.

5 Q And was that primarily her
6 responsibility to be the deputy registrar of
7 vital statistics?

8 A No, both of us were.

9 Q Were there any issues between you and
10 Fran with respect to your issuance of certain
11 death certificates?

12 A Yes.

13 Q And when did that occur?

14 A Fran went on vacation, two people died
15 when she was on vacation. And I specifically
16 asked her, what happens if somebody dies when
17 you're on vacation and she goes, oh no don't
18 worry nobody will die. Well, two people did.
19 No, it wasn't -- listen, I'll a great problem
20 solver, I don't have a problem with it. I called
21 Camille in Wesley Hills, she's the clerk there; I
22 called Rockland County Medical Examiner's Office;
23 and I called Albany, I dealt with it, just the
24 paperwork. Now, when I did type up the memo that
25 I attached when I mailed it, and they made such a

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big deal about, I didn't have to do this cover letter, I put the cover letter in with a business card and arranged everything, if they have any questions, just a little blurb. My computer I was saying was so outdated when you hit the J, you know, 'cause it was July, mine said June, my clock would be off, I missed that, and that they made this big deal about the date, you know, but it was just the cover letter.

New York State Albany received it. It was perfect. There were no problems at all with the death certificate. Fran was upset I didn't send it registered mail, when I asked them they said no there's no need to sent it registered, I did it regular mail, it saves the village -- you know.

Q Did Fran ever give you any written instructions on --

A She did when she got back and she printed it out.

Q -- how to handle a death certificate? And your answer is, she did when she got back from vacation?

A Yes. And printed out a copy, gave it

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to me.

Q To be more specific about the issue, my understanding of the issue is that the letter was dated June but the date of death was in July, is that --

A Yeah. I didn't have to do this cover letter all I had to do was put the paper in the mail and send it but I wanted to put my -- a little blurb on a piece of paper so I said, you know, to whom it may concern so and so passed away. But the date, because this Dell computer that I had at the village was probably 30 years old it, you know when it automatically fills in? The month was wrong and I should have picked up on it.

Q No, I understand.

A Tedious.

Q It was just an oversight.

A Yeah. But I want to tell you, Fran made that a big deal.

Q Were you ever required to calculate the fees for a permit application?

A Did I ever have to calculate? Yeah, every permit. Yes.

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2 Q Were you ever criticized by Fran or
3 anyone else for incorrectly calculating any fees?

4 A My first permit, a new home for
5 Mr. Hirskowitz and I brought it to her and said,
6 this is what I calculated is this right? And she
7 did it and she goes, you're wrong, and she made
8 this big stink. And I remember looking at her,
9 you know saying, this is what they gave me and
10 she said but that's not for new construction
11 that's for regular permit. The new construction
12 is a different formula. And then she showed it
13 to me and I said, oh, okay. No problem.

14 Q How would you describe your working
15 relationship with Fran?

16 A At first, I'd just met her. But I will
17 emphasize this, Carol LaChiana when she was
18 training me those days said, watch she's a
19 backstabber. She's going to belittle, you know,
20 try to have written -- I'm looking at Carol, okay
21 Carol whatever I can handle myself I'm a grown
22 woman. She said, she's brutal. And what did she
23 call her? Doom and gloom. I call her Ms. Doom
24 and gloom.

25 Q Did you ever call her Debbie Downer?

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A No. I called her cold-hearted Hannah, that's what I called her. Lou, I used to say to Lou, cold-hearted Hannah.

Q Was she a difficult person to work with?

A Very difficult. I would ask her, Fran what can I do, you're so stressed out how can I help you? Every day I would ask her and one day she turned around to me and she goes, you want to help me? Stop asking me every day what can I do to help you. And then I was like -- I felt bad. She, first of all she worked for the mayor, then she took clerk, treasurer, H&R Block, the cultural center; she was very overwhelmed. I don't know why she didn't delegate, but that's another story.

Q All right. You had described the working conditions in the village office at the time you were there as being toxic. Was your relationship with Fran added into that toxic environment?

A Yes.

Q Okay. In what respect?

A I remember building inspector said to

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me one day, she hates you. And I said -- and I was only there for like a month or so, and I said why.

Q This is Lou, right?

A Yeah. And I said Lou, I said why? He goes, you intimidate her. I said, how? He goes, look at her. Look at the way she dresses, she looks like she's going to a funeral, she never files, she's miserable, and you're so happy and, you know, good morning. And I said so how do I fix it? What do I do? You know, it was very frustrating for me. Her husband was very friendly but she was not friendly. Super critical, I always said.

Q Did you ever have a discussion with her as to why she was treating you the way in which she was?

A I tried to. I tried to talk to the mayor. I talked to Leon Harris. I even talked to Doris Ulman. I said -- and they all said, well it's her personality, you know, she's very, you know, prim and proper everything has to be perfect. And, you know, they just all said, you know, it was her personality. I would have

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2 people in Stop & Shop, you know if you went to
3 Stop & Shop you could get attacked by 100
4 residents there, and they would all ask me the
5 same thing, what's the matter with that woman why
6 is she cold and this ---

7 Q So, I mean, I don't want to put words
8 in your mouth. So your relationship with
9 Mrs. Fran was one of maybe a personality conflict
10 between the two of you?

11 A I didn't have a problem with her, she
12 had a problem with me. I usually could get along
13 with anybody.

14 Q But the toxic working atmosphere, she
15 did contribute to that, correct?

16 A Yeah. Basically, if I went in too
17 early she would say to me, why are you here
18 early? And I would look at her like, oh well I
19 have to do this, this, and that; and I knew Lou
20 comes in early, and she'd say your hours are 9 to
21 4. Then I would come in at 9 o'clock, she would
22 come in, I'd say good morning, and she always
23 looked at that clock. Every day. It was almost
24 comical.

25 And she would say, you know, oh you're

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here early again? Or, you know, et cetera. It was -- and I would tell Fran, I said Fran if you need me to come in early -- she goes I was here at 6:00 a.m. And I would say, if you need me early call me, I'm up reading a book. I went to 8:00 a.m. mass every day almost and, you know, mass during the week is like 20 minutes, I'd be sitting at David's Bagel across the street, you know, at 8:30, you know, just waiting. Then I would pull into the parking lot and sit and I would go, okay it's five to 9:00 and wait.

Q Well, did Fran ever criticize you for having a lateness issue?

A Fran didn't but the mayor did.

Q And what do you recall the mayor saying about that?

A I remember Fran sitting next to me and the mayor goes, people have to stop coming in late here. I looked at Fran, I'm like -- so I looked at Fran and I'm like who is he talking about? She goes, it's not me I'm here early and I stay late every day. And I go, well it's not me. And then she goes, oh really? I'm like, I'm sitting in the parking lot.

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2 Q Right. Well, how often did the mayor
3 tell you that he thought -- well, that the mayor
4 made this type of comment?

5 A The one time. And I said I was never,
6 ever late. And the one time that I did come in
7 late is because the mayor asked me to meet with
8 the post office master to see how many two-family
9 and three-family homes there were in the Village
10 of Pomona, so I went I met with the post master
11 probably around 8:00 and I got to work probably a
12 quarter after 9:00 and Fran said, you're late,
13 this -- and I'm looking at her like, you were
14 here when the mayor asked me to meet with him.
15 Like, didn't you know I was meeting him? So it
16 was --

17 Q Any other occasions where Fran made --

18 A Never. Never was late.

19 MR. SUSSMAN: Let him finish his
20 question then take a minute to think about
21 the answer.

22 Q Any other instances where Fran made
23 comments about you're being late to work?

24 A No, just that.

25 Q Okay. Did Lou Zummo ever make any

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comments about your coming in late to work?

A No.

Q Anybody else in the village make
comments about you coming in late to work?

A No.

Q Were you ever requested to become a
notary public as part of your job duties?

A Yes.

Q And did you?

A I started doing it and then I found out
that I needed a New York state license and I
still had my South Carolina license.

Q You mean driver's license?

A Yes. And I said to Fran, I just paid a
couple of hundred dollars the tags, I said I just
paid it like a couple of weeks ago so I said I'm
going to let -- it's only for a one-year term
also, but I said, you know, I'll work on it.

Q And what was Fran's response, if any,
to you're not becoming a notary public?

A I always remember this -- I told Lou --

MR. SUSSMAN: Listen to his question.

THE WITNESS: Okay. But I'm going to
tell him. I have to go back to Lou. I told

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2 Lou, I said, oh I tried to do the notary
3 and -- and he goes, I did and Fran told me
4 there's no need for you to get it, I have
5 it. We only need one notary here. So
6 basically I didn't pursue it. I wasn't
7 aggressive after that. So I said, oh,
8 really? I said, okay, you know. But I
9 said, I would love to have it, you know,
10 it's nice to have.

11 MR. SUSSMAN: So what was Fran's
12 response? That's his question. What was
13 Fran's response to your not getting the
14 notary, if any?

15 THE WITNESS: I don't think I ever told
16 Fran that I went -- I need a New York state
17 license, so no it was not discussed after
18 that. It was discussed with Lou.

19 Q Was there any issues with the handling
20 of tax payments by residents in terms of, your
21 not being able to use the credit card scanner?

22 A There was an incident once: Fran
23 wasn't there, a woman came in, she had a car
24 service, she went to pay her taxes with the
25 credit card, I didn't have the equipment, the

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2 training or anything and the woman said I'm
3 getting on a plane and I'll be in, wherever it
4 was, France for two weeks, and I was like oh gosh
5 how do I handle -- Fran was -- I don't know where
6 she went. And I remember I came back and I told
7 her the situation. She did get me the little
8 strip, you know, but I never used it. I didn't
9 have to. Fran jumped up aggressively and took
10 every tax payment even when I was trying to help
11 her; I got it. I got it. I got it.

12 Q Okay. Do you recall the name of this
13 system that was used, something called Municipay,
14 M-U-N-I-C-I-P-A-Y, does that sound familiar?

15 A Yeah, I don't know. It was this little
16 tiny strip with a wire you put into your
17 computer.

18 Q Did you ultimately receive the required
19 equipment to participate or to use this scan
20 system?

21 A Yeah, I got that and I think a piece of
22 paper with the direction.

23 Q You mean Fran gave you a piece of
24 paper?

25 A Um-hmm.

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Q Directions how to use the scanner?

A Um-hmm. Yes. Yes. I'm sorry.

Q Okay. Did you ever have an issue with giving the wrong court folders to the building code officer which caused the cases to be thrown out by a judge, do you recall that? Were you ever criticized by Fran or anyone else for allegedly giving the wrong folders for a case?

A No.

Q Just to clarify. That would have been to give the wrong folders to the building inspector and/or the village attorney; do you recall ever being criticized for giving the wrong folders to either one of those for a court case?

A No. Can I elaborate?

MR. SUSSMAN: No. You either were criticized or you weren't?

Q Do you have any explanation? What were you going to say? Well, let me ask you this; do you understand what -- do you have any reason to understand why these comments were noted in the Division of Human Rights cases?

A I would go with Lou Zummo to court, all the tickets that were issued on his, as he

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so-calls it, the shul patrol, when we would ticket everybody from Friday to Saturday, and I would go to these court dates. And the mayor came up to me, he said, who authorized you to be here? It's not your job to be in this courtroom. And I said, Lou asked me to come. And I would hold all the folders and give them to Lou and organize them and people would come up and say, I got a ticket for this and that, and I would say okay this is our attorney Chris Reily go over and, you know, they would negotiate. They stopped me from doing that, so Lou would go.

Q So who stopped you from doing that?

A The mayor.

Q So it's the mayor. It wasn't more than one person, it's the mayor who stopped you?

A Yes, oh only, he's the boss.

Q Did there come a time when these violation patrols were done on a Saturday night as opposed to a Friday night?

A Lou called it the shul patrol because it's usually Friday night into Saturday but Shabbat I think ends on Sunday, so he could do a Saturday night.

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2 Q What do you mean he could do a Saturday
3 night? If you could just clarify that comment.

4 A Okay. Lou could do his -- whatever the
5 mayor wanted, whether it was a Friday night when
6 Shabbat started or Saturday night, that's Lou's
7 choice.

8 Q So Lou was also performing the duties
9 of a building code enforcement officer?

10 A Code enforcement officer, uh-huh.

11 Q And during your employment with the
12 village as the deputy village clerk, other than
13 Lou was there a building code enforce officer?
14 What was the phrase, building code enforcement
15 officer? Do you recall the title?

16 MR. SUSSMAN: There's a code
17 enforcement officer and there's a building
18 inspector, those are two jobs.

19 THE WITNESS: And this is my point,
20 you're saying it's two jobs. Lou says it's
21 two jobs. The mayor says it's one. And I'm
22 going to give you a clear one on this one.
23 I got a call, and this one bothered me, my
24 neighbor is cutting down all the trees, this
25 and that, do they have a tree permit? Lou

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is not in, he's working in Airmont. I called the mayor and the mayor says to me, what the hell are you calling me for? Call the code enforcement officer. You know what to do. What is wrong -- screaming. He's in Airmont. Call him in Airmont. I want him here. The usual, screaming. I hang up I call Airmont.

Airmont says, he's on our time he's not on Pomona's time. I said, but the mayor asked me to call. I get Lou, Lou says to me, are you a fucking moron? How many times do I have to tell you, I am not the fucking code enforcement officer, wham. So then I hang up and I look at Fran I go, Fran you got to tell me what to do. So I call the mayor and the mayor says, how many times do I have to tell you he is. Now, the question is, is it two jobs or one job? I really don't know. I really don't know. And the best part is through all of this, Doris Ulman would come in and say, there is no tree permit in the Village of Pomona, it hasn't been passed yet. And I would just

1 NOREEN SHEA

2 sit there going, this place is nuts.

3 Q My original question is really, and
4 Michael cleared up the names. Lou in effect was
5 performing the duties of the code enforcement,
6 correct?

7 A Yes.

8 MR. SUSSMAN: As far as you know.

9 THE WITNESS: Yes.

10 Q And during your time of employment
11 here, was anyone hired as a code enforcement
12 officer?

13 A I was told numerous people were.

14 MR. SUSSMAN: During your employment.

15 Q But during your employment?

16 A I was told numerous people were but
17 they never -- I'm trying to think of it. Two
18 people. The two names -- I was told there was
19 but there never was.

20 Q Let me put it this way; if there was a
21 code violation who would you call, when you were
22 deputy village clerk?

23 A The only one I dealt with was Lou.

24 Q That's my point.

25 A But we did hire two others but it never

1 NOREEN SHEA

2 worked out.

3 Q Do you remember their names?

4 A One of them became a ZBA member, he's
5 like 6-foot 7. And the other one was the code
6 enforcement officer prior and they were bringing
7 him back.

8 Q But you never dealt with either one,
9 correct?

10 A No. No. They just told me that they
11 were hired.

12 Q All right, that's all. What is the
13 highest level of education that you attended?

14 A I have a Bachelor of Science in
15 finance.

16 Q And I noticed that you had a Series 7
17 and Series 3 licenses?

18 A Um-hmm.

19 MR. SUSSMAN: Yes?

20 THE WITNESS: Yes.

21 Q And with what employer did you those?

22 A I started Smith Barney. I got my
23 licenses with Prudential.

24 Q When were you employed by Prudential,
25 if you recall?

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A 90- -- I want to say '97, '98.

Q It's all right, just an approximation
is fine. And they sponsored you for your Series
3 and 7 license?

A Yes.

Q And when did you work with Smith
Barney, before or after Prudential?

A Oh, before.

Q In what capacity did you work with
Smith Barney?

A I became a sales assistant and I worked
in the board room with all the young brokers
training, it was actually a great job, and I was
training. I was learning the industry.

Q And then with Prudential, what were you
doing?

A I was offered, while I was working at
Smith --

MR. SUSSMAN: Listen to the question.

Answer the next question, please.

Q Yeah. When you were at Prudential what
was your position?

A I worked for three investment banking
offices.

1 NOREEN SHEA

2 Q Do you mean, was this an insurance
3 company that you worked for?

4 A No, securities, that was investment
5 banking; venture capital.

6 Q And what were your duties there at
7 Prudential?

8 A I took care of the three gentlemen that
9 did the investment banking and got my license and
10 I took care of all the trading.

11 Q When you say take care of, can you be
12 more specific?

13 A Someone calls up and wants to buy
14 options, spreads, I took care of it.

15 Q You filled out the forms and took the
16 trades, is that what you're saying?

17 A Yes. There we did a lot of options.

18 Q Do you still have your Series 3 or 7
19 license?

20 A No.

21 Q And why is that?

22 A I left the industry. 911.

23 Q They expired?

24 A Yes, they expired. If you don't use
25 them within a year, they expire. They must be

1 NOREEN SHEA

2 held at a brokerage house.

3 MR. DeGUISEPPE: Off the record.

4 (Thereupon, a matter was had off the
5 record.)

6 Q All right. Now prior to coming to work
7 for the village, had you had any experience --
8 employment experience with any municipality in
9 the clerk's office?

10 A No.

11 Q What in your employment background, in
12 your opinion, qualified you to perform the duties
13 of the deputy village clerk position?

14 A Oh, I knew a lot about the building
15 department. I knew a lot about code and so --

16 Q Is that from your family relation that
17 you talked about before?

18 A Yeah.

19 Q Did anything from your experience with
20 Prudential or Smith Barney help you in
21 performance of your job duties as deputy village
22 clerk?

23 A Managing, being organized, getting
24 things done. Efficient and effective.

25 Q What position did you hold prior to

1 NOREEN SHEA

2 working for the village?

3 A Our own firm. Prudential, when I got
4 there it was just a couple of months in, it was
5 right across the Wall Street Journal Prudential
6 was laying off 50,000 people investment banking
7 division and I'd just started there I remember,
8 the three gentlemen that I worked for, they
9 wanted to form a new company, basically were
10 going to start their own company, and I waited
11 months for them to lay me off, people were going
12 in coming out crying, I wasn't there long it was
13 like a year. And they brought me in, I said I
14 know, they laid me off, and we started our own
15 firm.

16 Q Who started their own firm?

17 A Me and the three gentlemen that I
18 worked with at Prudential. I had to wait for
19 them to buy their time, they had a contract and
20 they had to finish up, like another seven months.
21 And I had to set up an office, and my first
22 office was 49th and Madison, and I set up the
23 office, hired and --

24 Q And that was the position you held when
25 you were hired by the village?

1 NOREEN SHEA

2 A No, no, no. That was years ago.

3 Q Okay. No, I'm talking before. What
4 was the last position you held before being hired
5 by the village?

6 A I was tempting down in Myrtle Beach,
7 numerous places, I'd just moved down there.

8 Q What type of tempting?

9 A All kinds of tempting. Office. One
10 day they had me at the Myrtle Beach Raceway, you
11 know, different. One day I was on a ferry boat.

12 Q Okay. I'm going to ask one more line
13 of question and then we'll take a break. I'm
14 going to ask you about certain individuals. Lisa
15 Thorsen, do you know a Lisa Thorsen?

16 A Yes.

17 Q And how do you know Lisa Thorsen?

18 A Through -- well, actually I met -- I
19 know Lisa Thorsen by the mayor constantly playing
20 a recording of her all the time in the office and
21 I didn't know who it was.

22 MR. SUSSMAN: The mayor, meaning
23 Mr. Yagel or Mr. Banks? Which mayor?

24 THE WITNESS: Oh, Mayor Yagel. He
25 would play these recordings of an English

1 NOREEN SHEA

2 woman over and I asked Fran, Fran who's this
3 woman? Why does he constantly play this
4 over and over? And she told me it was the
5 previous clerk before her. And I said, why
6 does he do this? There's, you know, there's
7 some obsession that he had with Lisa
8 Thorsen.

9 Q Did there come a time when you were
10 introduced or otherwise met Ms. Thorsen?

11 A I met -- apparently she was in the
12 building numerous times, I didn't know who she
13 was. They said, she was just in here you passed
14 her you must have seen her, I didn't see her for
15 the longest time. But I heard about this woman
16 probably on a daily basis from the mayor or Fran,
17 especially when we were digging looking for that
18 FedEx receipt and trying to -- I didn't know what
19 we were looking for this FedEx receipt for but
20 the mayor was going after her for a mailing or
21 something at the village hall, so that's what
22 Fran told me.

23 Q So have you talked to Ms. Thorsen about
24 your claims in this case?

25 A Yes.

1 NOREEN SHEA

2 Q Okay. What kind of communications did
3 you have with her: Telephone, person, e-mail?

4 A All of the above now. But I met her --
5 I don't know the date when I met her.

6 MR. SUSSMAN: You can give a year.

7 THE WITNESS: 2017 I would say. Well,
8 when I was in turmoil with the village I
9 was -- you know, with all the stuff that was
10 going on.

11 Q Well, let me ask you; did you meet her
12 before you filed your complaint with the Division
13 of Human Rights?

14 A My first I sent with EEOC, I don't
15 think I'd met her. I don't think so.

16 Q You don't think so what?

17 A I did an EEOC complaint online.

18 Q How long ago was that? When was that?

19 A That was January. And then I was so
20 frustrated, when I talked to Doris Ulman she told
21 me to do the memo.

22 Q Which January, 2017?

23 A Yes.

24 Q Okay. Then you spoke with Doris Ulman?

25 A Um-hmm.

1 NOREEN SHEA

2 Q I just want to get back to this. I
3 just want to go through some names. All right.
4 So Lisa Thorsen, have you received any e-mail
5 correspondence from her concerning keeping her
6 apprized of what's going on in this case?

7 A Oh, yes. Now, not since -- they won
8 the election, I can't -- once they won the
9 election, I can't. I can't talk to them.

10 MR. SUSSMAN: She's saying the period
11 before. She's saying when Mr. Banks won and
12 Ms. Thorsen came back into office she hasn't
13 been talking to her because they're in
14 office, that's what she's saying.

15 Q So your last communication with her was
16 prior to Mayor Banks being elected?

17 A Um-hmm.

18 MR. SUSSMAN: Say yes.

19 THE WITNESS: Yes.

20 Q And what was the sum and substance of
21 your communication with Ms. Thorsen about this
22 case?

23 A Probably the same frustrations that she
24 had with working in that environment, you know,
25 the antisemitism, the whole -- she went through

1 NOREEN SHEA

2 the same thing and my point was this is still
3 going on years later, you know, the environment.
4 And then I was told I think by Mr. Banks at the
5 time, she left under terrible stress.

6 Q We're not going to focus on her case
7 today. Have you shared any documents, audio
8 recordings or other information with Ms. Thorsen
9 from this case?

10 A We've shared documents. I didn't share
11 the Audi. One audio went to Mr. Banks, that was
12 it.

13 Q And have you sent those audio
14 recordings to anyone else?

15 A No.

16 Q Do you recall which audio you sent to
17 Mr. Banks or Mayor Banks?

18 A Excuse me?

19 Q Do you recall what audio did you send
20 to Mayor Banks?

21 A One about his barn.

22 Q An audio of what, that's what I'm
23 asking.

24 MR. SUSSMAN: Whose speaking in the
25 audio?

1 NOREEN SHEA

2 Q Yeah. Who's speaking in the audio and
3 what is it about?

4 A It's the mayor and Lou Zummo talking
5 about Mr. Bank's barn.

6 Q Okay. And this audio was not shared
7 with anyone else other than Mr. Banks?

8 MR. SUSSMAN: Obviously, and counsel.

9 Q Oh, yeah. Other than counsel, I should
10 say. Other than counsel or anyone with his firm,
11 have you shared any audio recording with anyone
12 else other than Mayor Banks?

13 A No.

14 Q Okay. What types of documents or other
15 information have you shared with Ms. Thorsen
16 about this case?

17 A She has my human rights -- well,
18 everybody has my New York State Division of Human
19 Rights --

20 Q Just the human rights disciplinary
21 documents?

22 A Yeah.

23 Q Do you recall which ones? It's a
24 pretty big file.

25 A That's what I was going to say, and

1 NOREEN SHEA

2 it's public, I mean everybody has it.

3 Q No, I'm not asking this. I'm just
4 asking, to your knowledge, do you recall which
5 documents you shared with Ms. Thorsen concerning
6 your human rights case?

7 A No. It's a big file.

8 Q You made certain statements in the file
9 of certain documents in response to the Village's
10 submissions in that case. Do you remember you
11 gave a response to the supplemental answers?

12 A Yes.

13 Q All right. Did you share that document
14 with Ms. Thorsen?

15 A Now? No.

16 Q No, not now. I mean, at any time?

17 A I'm sorry, I didn't get the document.

18 Q I'm trying to think what's in the file
19 that you could have shared with Ms. Thorsen?

20 MR. SUSSMAN: You have an affidavit of
21 approximately 70 pages including exhibits,
22 did you share that document with
23 Ms. Thorsen?

24 THE WITNESS: Yes.

25 Q That's what I'm asking.

1 NOREEN SHEA

2 A That's the New York state human rights.

3 MR. SUSSMAN: Okay. I'm trying to
4 clear it up. That's a broad statement,
5 that's the New York state human rights.

6 Q All right. Any other documents from
7 the human rights file that you shared with
8 Ms. Thorsen?

9 A Not that I can recall.

10 Q Did she in any way assist you in the
11 drafting of your complaint in this case?

12 MR. SUSSMAN: You mean the complaint I
13 filed?

14 MR. DeGUISEPPE: Yeah. I mean, I
15 shouldn't say drafting.

16 Q With respect to the complaint drafted
17 by your attorney, did Ms. Thorsen assist you in
18 any respect?

19 A Did she assist? No. Did she give me
20 her input?

21 Q Yeah, that's what I mean; did she give
22 you her input, any comments?

23 A Her stories from when she was clerk,
24 believe, yeah, I heard that. But no, she did not
25 help me in any which way.

1 NOREEN SHEA

2 Q Did you ever receive an e-mail from
3 Ms. Thorsen that was also sent to Mayor Banks,
4 Avrohom Manes and Robert Klein concerning this
5 lawsuit?

6 A I'm sure. I probably did. I get a lot
7 of e-mails.

8 Q Well, do you know why Avrohom Manes was
9 on that e-mail?

10 A I don't know what e-mail you're talking
11 about.

12 Q I'm just asking, did you ever receive
13 an e-mail from Thorsen which had Manes as a CC?

14 A I don't know. Do you have a copy?

15 Q No. I was going to ask you for a copy.

16 MR. DeGUISEPPE: Well, I'm making a
17 demand for these, if there is corresponding
18 concerning this case, from Lisa Thorsen.

19 MR. SUSSMAN: I haven't seen it, so if
20 there is we'll try to find it.

21 MR. DeGUISEPPE: Let me just request
22 it. If there's any e-mail correspondence
23 concerning this case.

24 MR. SUSSMAN: You're asking for e-mail
25 that was sent by Ms. Thorsen?

1 NOREEN SHEA

2 MR. DeGUISEPPE: One is a specific
3 e-mail from Thorsen to Ms. Shea, Mr. Banks,
4 Avrohom Manus and Robert Klein indicating
5 that she had filed a lawsuit.

6 MR. SUSSMAN: Indicating that
7 Mrs. Thorsen had filed the lawsuit?

8 MR. DeGUISEPPE: Yeah.

9 MR. SUSSMAN: Okay. That's not about
10 this lawsuit, that's about Ms. Thorsen's
11 lawsuit, right?

12 MR. DeGUISEPPE: Well, yeah. And then
13 if there's any correspondence --

14 THE WITNESS: Is that the FedEx
15 lawsuit?

16 MR. DeGUISEPPE: Again --

17 THE WITNESS: Oh, I can't ask
18 questions, right?

19 MR. DeGUISEPPE: Off the record.

20 (Thereupon, a matter was had off the
21 record.)

22 MR. DeGUISEPPE: In an off the record
23 conversation Mr. Sussman agreed to search
24 his file to see if there's any e-mail
25 correspondence either, 1, from Lisa Thorsen

1 NOREEN SHEA

2 that was also cc'd to Ms. Shea, Ian Banks,
3 Avrohom Manes or Robert Klein indicating
4 that Thorsen had filed a lawsuit. Or any
5 e-mail correspondence between any of these
6 individuals and Ms. Shea concerning this
7 lawsuit.

8 MR. SUSSMAN: Great. We'll make a
9 search. I don't think it will be in my
10 files, but I'll ask my client to see what
11 she has.

12 MR. DeGUISEPPE: Thank you. Let's take
13 a break. Come back at 1:15.

14 (Thereupon, a short break was had.)

15 (Thereupon, Defendant's Exhibits A-L were
16 marked for Identification purposes only.)

17 Q We're back on the record Mrs. Shea. I
18 just had a couple of very quick questions and
19 then we'll move on to the documents. With
20 respect to the building permit process when you
21 were the deputy village clerk, did someone need a
22 building permit to replace a water heater?

23 A You're me?

24 Q Yeah, at the time that you were deputy
25 village clerk?

1 NOREEN SHEA

2 A Yes, I believe so.

3 Q All right, did a resident need a
4 building permit for a fence?

5 A Yes; four feet in the front, six feet
6 in the back.

7 Q I'll show you what's been marked as
8 Defendant's Exhibit A, which is entitled the
9 complaint. I'll just direct your attention to
10 pages 1 through 9, if you want to look at them
11 and then I'll ask you some questions starting
12 with paragraph 9. Are you ready?

13 A Oh yeah.

14 Q Okay. Showing you what's been marked
15 as Defendant's Exhibit A Ms. Shea, do you
16 recognize this document?

17 A Yes.

18 Q Okay. What is this document?

19 A This is my complaint.

20 Q And did you read this document before
21 it was filed in the court?

22 A Yes.

23 Q Let me go to paragraph 12. Read that
24 to yourself. There's an allegation that
25 Defendant Yagel failed to reappoint you on

1 NOREEN SHEA

2 April 2017, I just wanted to confirm whether or
3 not that is the correct date?

4 A Yes.

5 Q No. 13 it sets forth June 23rd, 2017,
6 as the termination date; is that date correct?

7 A Yes.

8 Q Okay. 15, it says that the decision to
9 terminate you was made by Defendant Yagel; is
10 that a correct statement?

11 A Yes.

12 Q Okay. Did defendant Yagel tell you why
13 he was terminating your employment?

14 A 'Cause I'm the mayor.

15 Q Any other reason?

16 A No.

17 Q And that was on the day of your
18 termination?

19 A Yes.

20 Q Where did he tell you -- did you meet
21 with him and anybody else at that time, at the
22 time he told you you were being terminated?

23 A Him and Mr. Hirskowitz, his C/O --

24 Q No, at the meeting itself. Was this
25 meeting between you and -- when Mayor Yagel told

1 NOREEN SHEA

2 you that your employment was being terminated,
3 was anybody else present?

4 A Fran was in the next room. Not in the
5 room with us but right across the hall.

6 Q Okay. What room were you in?

7 A The board room. I guess, the board
8 room.

9 MR. BANKS: Conference room.

10 THE WITNESS: Conference room.

11 Whatever you want to call it.

12 Q Okay. And approximately what time of
13 the day was it?

14 A I want to say probably around noon, as
15 an estimate, I'm not sure of the exact time.

16 Q Okay. And do you recall any other
17 topics that were discussed other than him saying
18 because I am the mayor, or words to that affect?

19 A Oh, I remember the topics.

20 Q Okay. What was the sum and substance
21 of what was discussed at the meeting?

22 A I gave Mr. Hirskowitz his C/O. He came
23 in the building and I knew --

24 MR. SUSSMAN: Just tell us what
25 happened.

1 NOREEN SHEA

2 THE WITNESS: I'm telling him.

3 Mr. Hirskowitz came in and I saw Brett
4 pacing and I was on the phone and gestured
5 and I knew it, I said oh gosh this could not
6 be good. Lou signed the C/O left it on my
7 desk and called Mr. Hirskowitz. I handed
8 the C/O, Brett call me in the room next
9 door, and I believe he recorded me because
10 he records all conversations because you
11 could see when he puts the phone down and he
12 slides it, and what's going on today? The
13 usual questions. And I told him we're busy
14 with the taxes and so many homes are off.
15 Like if you sold your house in Pomona and
16 moved to Florida, you were getting the tax
17 bill in Florida, the new people. It was not
18 good. It was a disaster, there were
19 hundreds of them. And I was helping Fran
20 find the new owners looking them up on
21 Rockland County clerk, I was explaining it
22 to him and he goes, what's going on with 22
23 High Mountain, which was a very serious
24 home. It was a huge problem, it was
25 actually Avrohom Manes house before he sold.

1 NOREEN SHEA

2 Q And what was the problem?

3 MR. SUSSMAN: Can she just finish the
4 explanation of whatever happened.

5 THE WITNESS: I'm still doing my
6 termination, and I was baffled because he
7 changed 360. And I said, oh Lou's going to
8 call Doris about that permit on the house.
9 And, how many weeks vacation you have? All
10 in the same. I was like, what? I'm like,
11 are we talking about 22 High Mountain? And
12 then he said, today is your last day. And I
13 said, why? I don't have to give you a
14 reason. And I said, okay fine, I expected
15 it.

16 Q Okay. Do you think there's any
17 connection between the C/O being issued for
18 Mr. Hirskowitz's property and your termination?

19 A I think it angers the mayor. I know
20 when Mr. Hirskowitz is in the building we're told
21 to record him. Lou's told to record at every
22 inspection. Mr. Hirskowitz is not liked at all.

23 Q Who approved the C/O for
24 Mr. Hirskowitz's property?

25 A Building inspector.

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Q Right. It wasn't you, correct?

A No, I can't approve that.

Q Right. So, did the building inspector approving a C/O for Mr. Hirskowitz, have anything to do with your termination of employment, in your opinion?

A Him being in the building.

Q So his presence in the building?

A I can see Brett pacing back and forth, I was afraid to hang up the phone.

Q And what happened after Brett told you this is your last day, what did you do next?

A Lou already informed me, mayor is looking to get rid of me 'cause I'm the Jew lover, he's told me that numerous times. Several cases. I was waiting for the day.

Q Did you hear the mayor use that term, Jew lover?

A He didn't call me that.

Q Did you hear it from anybody else?

A I'm thinking.

Q Sure.

A There was a lot of, you know, ways. Not that I can name off the top of my head.

1 NOREEN SHEA

2 But --

3 Q But what? Were you going to say
4 something else, you said but?

5 A The building inspector told me a couple
6 of months, you know, the mayor calls you the Jew
7 lover. He wants me to bring over Betty, she
8 doesn't let any of the Jews see me, she hides me
9 in the back, I don't have to answer their phone
10 calls, I don't have to see them. And I would
11 say, well, how do I do that? You know, anything
12 to keep my job. I said, what do I have to do?
13 And then he gave me a business card for Fred Viol
14 and he said called they're hiring, you should
15 start looking for another job. So I waited. I
16 knew, whatever time it was. But he told me
17 three, four times you're the Jew lover, that's
18 what he would say to me.

19 Q And where did Mr. Zummo say this to
20 you?

21 A I remember the one time in the parking
22 lot where I argued with him and I said Lou you
23 have to tell me, what am I doing wrong? I
24 volunteer, we set up the building, you know, what
25 am I doing? You got to tell me how to handle

NOREEN SHEA

this.

Q Did Mr. Zummo explain to you why the mayor was calling you the Jew lover?

A Because I help, I'm courteous, I'm friendly.

Q Anything else?

A No. I would question Lou, like, hey when are we going to take care of this permit, you know, it's been here three weeks.

Q No, I'm asking you what did you understand, when the mayor called you the Jew lover, what did you understand the mayor meant by that comment?

A I help the Jews too much.

Q And just to be clear, where were you located when Mr. Zummo told you this?

A I was standing right by his orange truck arguing with him, his orange pick-up Toyota truck.

Q This was on the day of your termination?

A No. No, this is probably three months prior maybe, could be more.

Q Well, how many times did Lou make the

1 NOREEN SHEA

2 statement to you that he thought you were a Jew
3 lover or words to that affect?

4 A No, it was always Jew lover. It became
5 a joke. Is 'cause you're the Jew lover, you
6 know, it became a joke; I want to say probably
7 three or four times.

8 Q And other than your termination, what
9 was the occasion or for what reason, if you know,
10 did Lou tell you that?

11 A Oh, I remember. It was a woman came in
12 it was interviewing for a job, she came to the
13 counter I was the only one there, she said, hi
14 I'm here to interview with the mayor, and I said,
15 oh good for what position? And she goes I'm
16 really not sure, Fran told me to come in.

17 Q And was this for your position?

18 A I assumed. So the mayor opened his
19 door, Fran came out of the bathroom, and the
20 mayor said in here, called Lou in. And I said,
21 Fran who was that? I don't know, ask the mayor.
22 I said, what job? I don't know, ask the mayor.
23 She wouldn't answer me. And that's when I was
24 questioning Lou, Lou what's going on.

25 Q And where were you when you were

1 NOREEN SHEA

2 questioning him, were you in the office, outside,
3 somewhere else?

4 A I remember the big conversation by the
5 truck 'cause it really bothered me.

6 MR. SUSSMAN: Just listen to the
7 question, answer the question.

8 THE WITNESS: The truck, outside.

9 Q Was this the same conversation by the
10 truck or a different conversation by the truck?

11 A We talked a lot outside because, as Lou
12 always said, the place is bugged and Fran is
13 going to be texting him anything that we say.

14 Q What I would like you to do is, just to
15 tell me on each occasion that you would call what
16 you understood to be the reason for Lou telling
17 you the mayor thought you were a Jew lover; you
18 identified the termination, you identified
19 someone interviewing for a position, anything
20 else?

21 A A FOIL request would be a great
22 example. An Orthodox realtor, a lot of Orthodox
23 realtors came in, can I the survey for this
24 property? I would say sure, I would just get up,
25 open the drawer, pull it out, make a copy, and

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within a minute, minute and a half you're gone,
it was too efficient. The text messages were
flying, Lou's telling me that Fran is texting the
mayor and that's why he would say, you can make
them wait five days, you know, and I would look
at him like why? Why should I make them wait?
You know, I didn't get it at first but --

Q And how often did that happen, that the
mayor basically told you to delay processing of
the FOIL request?

A That happened a lot.

Q What do you mean by a lot, more than 10
times?

A Oh gosh, yeah.

Q How many, hundred? Once a week, once a
month, any estimate?

A Oh, daily. Daily. I say daily. And
then I got it, that's why I had that 18 FOIL
requests on my desk one day because I got it. I
got the picture.

Q Did you have any other conversations
with Mr. Zummo concerning your employment
termination?

A Lou and I talked a lot. We went out

1 NOREEN SHEA

2 for drinks quite often.

3 MR. SUSSMAN: Listen to the question.

4 Did you have any other conversation with him
5 about your employment termination?

6 THE WITNESS: After the termination, I
7 never spoke to Lou Zummo.

8 Q How about the time you were terminated?

9 A While I was still working there, he was
10 telling me --

11 Q He tells you that you were let go
12 because you're a Jew lover?

13 A Mayor just asked me, should I fire you
14 today? He said that to me probably 10 times
15 probably on 10 different days. Mayor just asked
16 me again should I fire you today. And I used to
17 look at him I'd go, you really like to torture
18 me, don't you?

19 Q When Lour told you -- after you were
20 terminated you had a consideration with Lou,
21 correct?

22 A I never spoke to Lou after I was
23 terminated, never.

24 MR. SUSSMAN: She was telling you about
25 a precedent conversation, so she wasn't

1 NOREEN SHEA

2 surprised when she was terminated because
3 Lou would say that.

4 Q I got you. I'm sorry, you did say
5 that. Did you have any conversations with Lou
6 about his conduct and impersonating certain
7 Jewish individuals, residents?

8 A It was done daily.

9 MR. SUSSMAN: Listen to the question.

10 Q Did you ever have any conversations
11 with Lou concerning his impersonations of Jewish
12 residents?

13 A Conversation? What do you mean?
14 Reprimand? I don't understand the question.

15 Q Did you talk to him about this, did you
16 reprimand him, did you complain, did you tell him
17 to stop impersonating Jewish people?

18 A I had talked to him -- no, I've never
19 done that. I talked to him about his sarcasm.

20 Q Was the sarcasm religious based?

21 A On some occasions, yes. But just
22 sarcastic personality.

23 Q I'm trying to focus in on your claims
24 indicated religious discrimination. Did Lou make
25 any comments in your presence which you

1 NOREEN SHEA

2 considered to be offensive to someone's religion
3 whether it be Jewish or otherwise?

4 A Very. Every day.

5 Q And what types of comments would he
6 make?

7 A Just the mimicking, you know, of -- I
8 remember -- I can't think of his name, his wife
9 came in, she told me she was selling Avon and
10 when she walked out Lou was like, see, all the
11 Jews they got to make the monies. Even the wife
12 has to make the monies. Everybody's got to make
13 monies. And he would just walk around the office
14 doing this.

15 Q This is Lou?

16 A Every day. Every day. That's just one
17 example.

18 Q On the next page paragraph 24 it says
19 that -- you could read it for yourself, I mean.

20 MR. SUSSMAN: Read the paragraph to
21 yourself, please.

22 Q This paragraph indicates that the
23 mayor's directive to delay the provision of
24 services was to Orthodox jews; how would you know
25 if someone was an Orthodox jew?

1 NOREEN SHEA

2 A I thought we covered that question but
3 I'll answer. When a person came in usually the
4 yamaka, the beard, black and white, tassells.

5 Q You're referring to Hasidic Jews?

6 A No, Orthodox.

7 Q So, those are the one people he was
8 referring to, as you understood his directive?

9 A Yes.

10 Q Paragraph 26, just read that to
11 yourself. My question is going to be, who was
12 this one Jewish builder, who was that referring
13 to?

14 A Avrohom Manes.

15 Q Was there any issue going on with
16 Avrohom Manes at the time with the mayor of the
17 village?

18 A Yes.

19 Q Do you recall what those were?

20 A A very loud argument between the mayor
21 and Mr. Manes.

22 Q Mr. Manes is the owner of Tal
23 Properties?

24 A Yes.

25 Q Okay. Was there an issue going on

1 NOREEN SHEA

2 with, I believe it was 63 High Mountain?

3 A 22 High Mountain.

4 Q Was that the issue going on at the
5 time?

6 A Yes. No, the argument that day was
7 undedicated roads he was responsible for, they
8 got into a very loud argument.

9 Q Okay. But did the mayor view you
10 having, what you phrase as a friendly interaction
11 with Mr. Manes, that caused him to say stop those
12 interactions with him?

13 A Oh yeah, that was another.

14 Q Okay. If you can explain what that
15 incident is?

16 A This incident is, I believe the first
17 time I met Mr. Manes and he walked in with a
18 little baby in his arms she had red hair, curls,
19 green eyes and I got up from the desk and said oh
20 my gosh look she's beautiful, look at those curls
21 and I said wow. And then I remember saying to
22 Mr. Manes, be careful red heads are trouble. And
23 we were laughing. That, you can't do that. You
24 can't have friendly conversation. I should have
25 just said, can I help you.

1 NOREEN SHEA

2 Q Okay. And where did this interaction
3 with Mr. Manes occur?

4 A Mayor was not in the building it was
5 only Fran and I in the building.

6 MR. SUSSMAN: The question was where
7 did it occur?

8 THE WITNESS: In the building. In
9 village hall.

10 Q And how, to your knowledge, how did
11 Mayor Yagel find out about your interaction with
12 Mr. Manes?

13 A I assume the text. Lou tells me Fran
14 texts every person that leaves or goes on.

15 Q But you don't know, correct?

16 A No, I don't know. I was just shocked
17 that he was --

18 Q Paragraph 27 I believe we've covered
19 this before, but if you want to add anything
20 else, please do.

21 A No.

22 Q 28, this is what I believe you just
23 testified about, correct, that Lou advising you
24 that you were called a Jew lover?

25 A Yeah.

1 NOREEN SHEA

2 Q 29, you want to add anything?

3 A It was a daily -- every day. Every day
4 it was -- there's not a day that went by that
5 this anti, you know, Semitic environment, you
6 know, with the: Uh, we got to do -- oh, how you
7 like his curls? You know, every single person
8 that came in or out.

9 Q I'm just asking if you -- you've
10 already testified, if you want to supplement your
11 testimony, just say.

12 A Oh no.

13 Q All right. In 29 and 30 you refer to
14 Mr. Zummo impersonating Orthodox Jews in the
15 village hall mocking the speech behavior and it's
16 characterized as abusive behavior; would you
17 agree with that characterization, as Lou being
18 abusive or just inappropriate or something else?

19 A This is No. 30, inappropriate.

20 Q Move on to the next page so we can move
21 along. 33 alleges that you never received any
22 negative feedback concerning your job performance
23 except as it pertained to your willingness to
24 equally give proper service to the Orthodox
25 Jewish community. Did you have some discussions

1 NOREEN SHEA

2 with Fran about typos and letters that she was
3 upset with? The letter that you asked her to
4 sign had typos?

5 A The property registration form, is that
6 what you're talking about?

7 Q No. Did she send you an e-mail saying
8 that, which I'll show you?

9 A Yeah. I think I know what you're
10 talking about, but yeah if you have an exhibit.

11 Q We'll just mark it as the next letter.

12 (Thereupon, Defendant's Exhibits M&N were
13 marked for Identification purposes only.)

14 Q Just to save time I had a number of
15 exhibits marked. And we'll come back to your
16 complaint in a few minutes. But your complaint
17 said that you never provided any negative
18 feedback and I've shown you documents now which
19 is letter M as in Mary.

20 A Is the property registration form.

21 Q Yeah. Do you remember receiving this
22 document?

23 A Yes. Yes, I do.

24 Q Okay. And did you consider this
25 document to be a criticism of your work

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performance?

A Yes.

Q And to your understanding, why were you given this document? And when I say this document I'm talking about any of all of the pages. Have you seen all of these three pages prior to today?

A There's another one, which was my copy.

Q There's another copy or page?

A No. Let me explain. There's the property registration form, which is my idea to go out with the tax bill. When I got there there were like 60 or 80 e-mails in the village and I was shocked; why don't you ever erase an e-mail? This form we sent out the first year, Fran typed up, and it's a property registration form. It's supposed to be attached here, I wish it was but it's not. So when Fran asked me to send out new property registration forms for all these tax bill things, and I had like ten of them to do, I said Fran your form is outdated it says 2016 and, I said, we discussed this that we didn't get a lot back last year and you guys were going to impose a fine or put on a time limit, like, you

1 NOREEN SHEA

2 have 10 days or 30 days or whatever, and I said
3 do you want me to type up a new one? And I did.
4 It was very friendly. It was, like, welcome to
5 the Village of Pomona, exclamation point.

6 And it basically said the same, you
7 know, we need your -- you know, if you were --
8 the person who bought my sister's house is
9 called, the name of them is called 10 ML Drive
10 LLC, now, what is that? We don't know who owns
11 that house. So that was the point to finding it.
12 And I typed it up and I gave it to her. I said,
13 what do you think? But it was very happy and
14 bubbly. So she wrote this back, and I could not
15 believe she could write that. I showed you this
16 before. And that is what I worked with.

17 Q Now, you produced -- your attorney
18 produced this, just so you know.

19 A I know. But the property registration
20 form is not with this.

21 Q Yeah. But from the way I read this, it
22 looks like she's talking about the letter. When
23 you say form, are you talking about a form letter
24 or an actual form?

25 A The property registration form.

1 NOREEN SHEA

2 Q Right. So this appears, again is what
3 you understand this to be, this appears to be
4 criticizing the letter you drafted not the form?

5 A It wasn't a letter. I did a new
6 property registration form. The one that she was
7 sending out to people was expired, it said 2016
8 on it and I kept telling Fran it's 2017.

9 Q So you understood her comments to be on
10 the form that you drafted not on the letter that
11 is attached to this?

12 A The property registration form.

13 Q Okay. And do you have any -- were her
14 comments well-taken or do you have any
15 disagreement?

16 A I have big disagreement with that.

17 Q Were there typos on the form?

18 A No. But like I said, welcome to the
19 Village of Pomona and --

20 MR. SUSSMAN: He just asked you, were
21 there typos in the form?

22 THE WITNESS: No, I didn't think so.

23 MR. SUSSMAN: Next question.

24 Q I'll show you N, and just say okay when
25 you're done.

1 NOREEN SHEA

2 A Okay. The death certificates.

3 MR. SUSSMAN: Wait for the question,
4 please.

5 Q Do you recognize these two letters?

6 A Yes.

7 Q Okay. And did you draft these two
8 letters?

9 A Yes.

10 Q Do these two letters refer to the death
11 certificate incident that you previously
12 testified to?

13 A Yes.

14 Q And you noted that the letters are
15 dated June and the date of the person's death was
16 in July, right? So that's what -- that's the
17 problems that you had with your computer was it,
18 Word Processor?

19 A Yes.

20 Q Was it a Word Processor?

21 A It was a Dell.

22 Q Dell computer with Microsoft Word on
23 it?

24 A Yes.

25 Q Any other comments you want to make

1 NOREEN SHEA

2 about this?

3 A I can make a comment.

4 Q Yes.

5 A I didn't have to do this cover letter I
6 just had to mail -- they told me you don't have
7 to but I did it just as a courtesy to Albany and
8 I put my card on it, and the typo is just -- the
9 date is because I hit J and the day appeared.

10 Q Is there any reason why you didn't put
11 an address on this?

12 A I put an address on the envelope.

13 Q Where did you get that address from?

14 A New York State Vital Statistic in
15 Albany?

16 Q Yeah.

17 A I called them. I verified everything,
18 who I was sending it to and the medical examiner.

19 Q So you didn't know who to mail this to
20 prior to making that phone call?

21 A No, I knew where to mail it to.

22 Q No, but what address I mean. Did you
23 know the address prior to making that phone call?

24 A Probably Camille, Wesley Hills, she was
25 my first phone call on how to do it.

1 NOREEN SHEA

2 MR. SUSSMAN: He didn't ask you that.

3 Did you know the address prior to that?

4 That's all he asked you.

5 THE WITNESS: Camille gave it to me.

6 Q Camille gave it to you, so the answer
7 is yes?

8 A I'm so confused. I know my first phone
9 call was to Camille, my second was to Rockland
10 County Medical Examiner's my third phone was
11 to Vital -- Camille gave me address, I don't
12 really know if I had the --

13 MR. SUSSMAN: Again, if you don't know
14 something just say I don't recall.

15 THE WITNESS: I don't recall.

16 Q Just getting down to Exhibit N. Did
17 you consider Fran's comment about the letters to
18 be a criticism of your job performance?

19 A Yes.

20 Q I'm going to show you Exhibit O next.

21 (Thereupon, Defendant's Exhibit O was
22 marked for Identification purposes only.)

23 Q I'll show you what's been marked as
24 Exhibit O and ask you if you recognize that form.

25 A Okay.

1 NOREEN SHEA

2 Q Was there any issue with this e-mail?

3 Did Fran have any issue with this e-mail that you
4 sent to Mr. Hirskowitz?

5 A No.

6 Q Okay. Did anybody else have any issues
7 with this e-mail that you sent to --

8 A The mayor 15 minutes after I hit send.

9 Q Did he tell you what his issues were
10 with this, with this e-mail?

11 A There's no such thing as a co-chair
12 person, I remember him saying that, which I knew.

13 Q How did he get -- if you know, was he
14 BCC'd on this e-mail?

15 A No.

16 Q Okay. How did he get a copy of this
17 e-mail, if you know? If you know. I don't want
18 you to guess, if you know.

19 A I don't know how he got it but 15
20 minutes, boom, the phone rang.

21 Q And what do you recall the sum and
22 substance of what he said to you during that
23 phone call?

24 A You can't send that letter.

25 MR. SUSSMAN: You can't what?

1 NOREEN SHEA

2 THE WITNESS: You can't e-mail and
3 write that.

4 Q Write what?

5 A George, you know, happy Easter all
6 that, you can't write that. There is no such
7 thing as a co-chairs person. George Pokovic
8 (phonetic) is a good friend of mine.

9 Q Okay. But there was no co-chair person
10 at the time, was there?

11 A There is no such thing. And why I
12 wrote it, I heard through the top secret --

13 MR. SUSSMAN: He's not asking you why
14 you wrote it, just if there was a co-chair
15 person.

16 Q Yeah. I was going to ask you that
17 next. All right. Why did you know that there
18 was no co-chair person?

19 A Fran was leaving George a voicemail
20 saying, Hi George I know you're the new co-chair
21 person for the planning board; I was shocked, I
22 take care of the planning board. And then I'm
23 like, there's no such thing as a co-chairman.
24 Now, I know George. I was just at George's
25 house, I had a beer at his house with the

1 NOREEN SHEA

2 building inspector.

3 Q Mr. Zummo?

4 A Yes.

5 Q You mean prior to this e-mail?

6 A Probably, about a week prior maybe.

7 Q You don't mean today?

8 A No. That's why I was like, what? So I
9 was shocked.

10 Q Okay. But the mayor was upset with
11 this e-mail, correct?

12 A The mayor was very upset.

13 Q Do you consider that to be a criticism
14 of your job performance?

15 A No.

16 Q It's up to you, I mean --

17 A Am I allowed to elaborate on this.

18 Q Yes.

19 A George Pokovic got a building permit
20 for his house, he and his mother, it's a
21 two-family, while he's there he then asked me,
22 how do you work with that asshole? He called me
23 up and just asked me --

24 Q Who asked you that?

25 A George asked me that. Lou was there.

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2 And said this, he called me up and wanted to know
3 if my kids rode the quads over there and he goes
4 that guy is such an asshole I don't know how you
5 work with him. A week later he's being asked to
6 be on the planning board, that's what the shock
7 was. And I was like, wow. But he did it.

8 Q By the way, since you said happy Easter
9 I'm assuming George is not an Orthodox?

10 A George goes to the same church as us,
11 St. Barnabas around the corner.

12 Q Now take a look at Exhibit P.

13 (Thereupon, Defendant's Exhibit P was
14 marked for Identification purposes only.)

15 Q Okay. Did Fran or anyone else have any
16 issues with this e-mail?

17 A Nobody ever mentioned it. No.

18 Q Okay. Going back to Exhibit A, the
19 complaint.

20 A Can you ask me more questions on this?

21 MR. SUSSMAN: Let's move along, please.

22 Q The next paragraph I want to ask you
23 about is about the basic training.

24 A We're on A?

25 Q Yeah. Keep A open because we're going

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to be going back and forth.

A Do you know what number?

Q Yeah I'm looking at paragraph 34.

MR. DeGUISEPPE: Let's mark three exhibits here.

(Thereupon, Defendant's Exhibit Q-S were marked for Identification purposes only.)

Q I've had three exhibits marked, Q, R, S and I'm going to hand them to you at the same time and ask you to review them in the order that I've given them to you.

MR. DeGUISEPPE: I'm just going to make a statement for the record. Q and R are documents produced by your attorney, S a document -- several documents that I stapled together, it wasn't produced this way, is several documents which we'll go through each one.

Q So Q, do you recognize that document?

A Yes.

Q Okay. And what is that document?

A Deputy village clerk.

Q Were you given a copy of this document?

A We went over this before. Yes.

1 NOREEN SHEA

2 Q I just want to make sure this is the
3 document you're referring to?

4 A Yes.

5 Q And then the second one, R, you
6 referred to as a two-page document of
7 responsibilities that you said you typed that?

8 A Fran asked me to type both and e-mail
9 it to the mayor.

10 Q So when did you receive this -- when
11 did you type up these documents?

12 A I don't know when. I can't give you a
13 date but -- I don't know.

14 Q Was it at the beginning of your
15 employment?

16 A Oh God, no.

17 Q Do you recall if it was in 2017?

18 A Well --

19 Q If you don't know, just say you don't
20 know?

21 A I don't know.

22 Q Okay, that's all. You don't recall.
23 All right. On Q, the deputy village clerk, was
24 this typical work activities? Does that fairly
25 represent what you were required to do as a

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deputy village clerk?

A Yes.

Q And was this full performance knowledge, does that fairly state the types of skills that you knew?

A Where are you?

Q The next paragraph down it says full performance. We're still on this document here. We didn't get to the two-page document yet. The first one was typical work -- this is Q, right, it says typical work activities and then that was my question, whether that fairly stated your job duties and responsibilities? Does it? I should say fairly summarize what your job duties and responsibilities were?

A No, I believe this is a different form.

Q That's what I'm asking.

A Yeah, I don't believe I typed this.

Q Well, let me ask you this because there does seem to be some differences between Q and R. What is your understanding of what these two forms represent? And please refer to the exhibit number when you're testifying.

A R is deputy clerk's responsibilities?

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Q Yes. And that's the one you type?

A This is the one I typed.

Q Does this fairly summarize your job duties as the deputy village clerk?

A Yes.

Q And this --

A I don't know what this is (indicating).

MR. SUSSMAN: This meaning which, Q?

THE WITNESS: Oh, Q. I don't think I ever read this one.

Q That's fine. That's why I just wanted to confirm your familiarity of these documents. Okay. Going on to S, and I'll tell you what these documents -- the first document -- these documents were produced to your attorney under the heading of How To Document, as it was characterized by my client. The first one is one page; have you ever seen this document before?

A Yes.

Q When did you see this document?

A I would say 2017.

Q And who gave you this document?

A Fran.

Q Second document which goes, it's a

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two-page document, pages three and four, entitled
Death Certificate Procedure; have you ever seen
this document?

A Yes.

Q Okay. When did you receive this
document?

A After Fran got back from Italy.

Q And she gave you this document?

A Yes.

Q Do you know who prepared this document?

A Yes.

Q Who?

A Fran.

Q Do you believe this accurately states
the procedure for issuing a death certificate?

A Yes.

Q All right. In the first point it says
"make sure the person died in their home or on
the property in the village." If someone is
killed on a county road which runs through the
village, have they died within the village, to
your knowledge? Meaning, what was the meaning of
these instructions? Someone is killed on a
county road that runs through the Village of

1 NOREEN SHEA

2 Pomona, is that person perceived to have died in
3 their home or on their property in the village?

4 MR. SUSSMAN: Objection to form.

5 THE WITNESS: All right, you got to say
6 that one more time.

7 Q When is someone considered to have died
8 within the village at any which point?

9 A When they pass away in their home.

10 Q Okay. Any other circumstances?

11 A So you're saying when someone dies on a
12 road in the village?

13 Q County roads run through villages.

14 A Yes.

15 Q And I'm sorry, I don't know the numbers
16 that run through there?

17 MR. BANKS: Campbell Road is one, Motor
18 Road is another.

19 Q All right. So if someone dies on a
20 county road, are they considered to have died
21 within the Village of Pomona?

22 A Yes.

23 Q Going to the second page. Do you
24 recognize these addresses? Well, let me ask you
25 this: Were these the addresses that you mailed

1 NOREEN SHEA

2 the death certificates to?

3 A Yes, Albany and --

4 Q On the prior page it says that they
5 should be sent by certified mail. Prior to your
6 mailing the letters, did anyone tell you that
7 they had to be sent by certified mailing?

8 A Fran.

9 MR. SUSSMAN: Prior to it?

10 THE WITNESS: Oh, no.

11 MR. SUSSMAN: Listen to the question,
12 please.

13 Q I caught that one too. Let's go to the
14 next page. And the next two pages I'm not sure
15 if they're the same document or a single
16 document, the first one is called Legal Notices;
17 have you seen this document before?

18 A Kathy wasn't my contact.

19 MR. SUSSMAN: The question was, did you
20 see the document? That's the only question
21 he asked you.

22 Q Before today?

23 A Yes.

24 Q Okay. And for what reason did you see
25 this document?

1 NOREEN SHEA

2 A I can post public notices, planning
3 board, ZBA.

4 Q Okay. And post them where?

5 A In the newspaper.

6 Q At the time you worked there, was Kathy
7 Williams or Heidi your contacts?

8 A No. Well, I don't recall.

9 Q You don't recall the name of the
10 person?

11 A Yeah. I think --

12 Q That's all right. We don't want to
13 spend too much time on this. Let's go to the
14 next one, retrieve phone messages; have you seen
15 this document before today?

16 A Yes.

17 Q And what does this document relate to?

18 A Get the voice mail.

19 Q On the village phone system?

20 A Yes.

21 Q Page D7 which had a search by SSWIS?

22 A Yes.

23 Q And what does SSWIS mean? S-S-W-I-S.

24 A Yeah. I go on the Rockland Clerk
25 website. What does S-W-I-S stand for? I don't

1 NOREEN SHEA

2 know.

3 Q Okay. Did you ever use this system?

4 A Every day. That's where you can see
5 when people bought and sold.

6 Q Oh, okay. So you were able to use this
7 system as part of your job functions? In our
8 words --

9 A I couldn't use it on my computer, I had
10 to go to the next desk and log in there.

11 Q Whose desk was that?

12 A The old code enforcement officer that
13 quit.

14 Q And why wasn't it on your computer?

15 A I very rarely had internet. I couldn't
16 get anything on my computer.

17 Q When you say anything, you mean
18 internet connections?

19 A Yes. If I went to Fran or Lou's or
20 anybody else's, I got it.

21 Q But were you supposed to go to one of
22 their desktops to use it?

23 A I could use that extra one over there,
24 yeah.

25 Q All right. The next one is entitled

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Memorandum, it's on Doris Ulman's letterhead, it looks like it's three pages dated March 18, 2016; do you remember seeing this document?

A Yes.

Q And what was the purpose of this document?

A Doris was training me how to handle the planning board on this one.

Q So you did receive some training?

A Doris Ulman, yes.

Q The next one looks like it's a two-page document, pages 11, E11 and E12, property tax procedure; have you ever seen this document before?

A No. That one I didn't see for a long time but I did get it, this is my cross training, I remember.

Q You said this is your cross training what?

A I was supposed to be cross trained. We were supposed to be cross trained. I was frustrated, I never knew how to do it.

Q Let's stop there. When you say cross trained, cross trained in what?

1 NOREEN SHEA

2 A Fran and I were supposed to know each
3 other's jobs; if Fran went on vacation I could do
4 her job, if I went on vacation she could do mine.

5 Q So, do you recall when you first saw
6 this document?

7 A I don't know the date but it was
8 probably a year.

9 Q Well, prior to receiving this document,
10 had you been asked to give any property tax
11 receipts or entries or whatever you call them?

12 A No. I would go to the counter, take
13 the check, give them a receipt, and leave
14 everything on Fran's desk.

15 Q Okay. And the last document, again on
16 Doris' letterhead dated February 21, 2016, it's a
17 three-page document; have you seen this document
18 before?

19 A Yes.

20 Q And what's your understanding of this
21 document?

22 A The ZBA with Doris Ulman, she sat with
23 me on this.

24 Q What was the purpose of Doris sending
25 you this document?

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2 A We had a ZBA meeting.

3 Q This is dated February 2016, that's on
4 or about when you started your employment?

5 A Yes.

6 Q Okay. Was this document meant to
7 familiarize you with the terms that are used at
8 the ZBA meeting?

9 A Yes.

10 Q I think we've probably covered
11 paragraphs 39. All right. In paragraph 40, read
12 that to yourself. 40 and 41. And I have to mark
13 another exhibit. Ms. Shea, my question to you is
14 that you state here that the village attorney
15 suggested that you share your concerns in writing
16 with the village Board and mayor. Do you know
17 what she was referring to when she said your
18 concerns?

19 A I asked to speak to Doris privately, we
20 went in the conference room and I told her what
21 was going on.

22 Q Do you recall what you told her? The
23 sum and substance of what you told her?

24 A I told her the environment. The whole
25 antisemitic environment. I told her about my

1 NOREEN SHEA

2 complaints with Fran, she's not training, she's
3 texting the mayor constantly; everything. I was
4 telling her, I said you have to tell me Doris,
5 what I can do; I wanted to take her out to lunch.
6 Doris and I would talk. I said, I've done
7 nothing wrong and I said this hostility, this
8 tension in this office is through the roof. I
9 said, I'm concerned about losing my job. At the
10 time I was trying to purchase a condo, and I was
11 terrified to and I didn't because this job
12 environment was not stable.

13 Q Okay. I need you to be more specific
14 than that only because this really goes to the
15 essence of your complaint here. What do you
16 recall, at this meeting with Doris, was that
17 meeting in or about what, February of 2017, do
18 you recall, or earlier?

19 A I did the memo a couple of days after
20 our conversation, and she said do it before the
21 trustee meeting that's why I had to get the --

22 Q All right. I'll show you the memo
23 which is Exhibit T, if that refreshes your
24 memory.

25 A Okay. So February 7th, so it was

1 NOREEN SHEA

2 probably a day or two prior. Okay.

3 Q So let's look. So this is the memo
4 that you drafted as a result of your meeting with
5 Doris Ulman, correct?

6 A Yes.

7 Q Okay. And looking at this, are these
8 all the issues that you discussed with Doris
9 Ulman at your meeting with her?

10 MR. SUSSMAN: Object to form. You can
11 answer. She just told you what she
12 discussed.

13 MR. DeGUISEPPE: She wasn't very clear.

14 MR. SUSSMAN: I think she was clear,
15 but I'm not going to argue with you it's on
16 the record.

17 THE WITNESS: Okay.

18 Q That's the question. Are these the
19 issues that you discussed with Doris Ulman at
20 your meeting with her? In other words, the
21 issues that you're reporting to the Board on your
22 February 7, 2017, letter, are they the same
23 issues that you discussed with Doris Ulman at
24 your meeting a few days before?

25 A Well, I talked about other issues also.

1 NOREEN SHEA

2 Q What other issues?

3 A I told her that I tried to communicate
4 with -- when I tried to talk to Brett Yagel he
5 kind of blew me off, I told her that. And Leon
6 Harris. I was talking to her about -- you know,
7 this one emphasizes Fran really, but there were
8 other things. I remember she said I worked for
9 the mayor, you know, I had to work at his
10 discretion.

11 Q Okay. Why did you decide to report in
12 your February 7, 2017 memo, these issues to the
13 Board?

14 A I was frustrated. I told you, we were
15 supposed to be cross trained on a lot of things.
16 Fran was not -- she wouldn't train you. She
17 wouldn't show you. She went on vacation she left
18 you with envelope, you know, you couldn't do
19 anything you had to just leave it on her desk.

20 Q Okay. From reading this document it
21 appears to be silent on the issue of alleged
22 antisemitic behavior or discrimination; do you
23 agree with that?

24 A Can you repeat that?

25 Q Well, let me ask you this way; is there

1 NOREEN SHEA

2 any language in this February 7, 2017 letter,
3 that advises the Board of the Jewish
4 discrimination that you previously testified to?

5 A Is there anything in this letter that's
6 antisemitic?

7 Q No. In other words, you now have told
8 me that on a daily basis, you know, Lou was
9 making impressions, et cetera. I'm not going to
10 repeat your testimony and put words in your
11 mouth. But you testified to a number of
12 instances and conduct which you have described
13 as, what you described and you would call the Jew
14 lover for getting certain met of service to Jews
15 that Mr. Brett Yagel wanted you to. My question
16 to you, is there anything in this memo that
17 advices the Board of your complaint
18 about discriminatory treatment that you were
19 asked about?

20 A Anything in the memo that describes the
21 treatment of antisemitic?

22 MR. SUSSMAN: He's saying something
23 very simple; does that mention antisemitism
24 in any way?

25 THE WITNESS: No.

1 NOREEN SHEA

2 MR. SUSSMAN: Okay. That's what he
3 asked.

4 Q You use a term in the first sentence,
5 again you've used it several times, toxic
6 environment; what did you mean by that in this
7 letter?

8 A The unhealthy work environment. There
9 were three employees, only three of us, and it
10 always frustrated me, the three of us should have
11 been a team but it was: Lou filled with the
12 sarcasm, Fran, you know, cold and was always
13 angry. And I used to say, what can I do to help
14 you today, to take this pressure and stress off
15 of you? Nothing, I'm the treasurer. Nothing,
16 I'm the clerk. You know, you do your job I'll do
17 mine. And I quite often said we were supposed to
18 be cross trained. Lou told me, she will never
19 cross train you. Fran has asked me for numerous
20 documents, if you wanted to ever make a mistake
21 I'd have to give her a document, she's making a
22 secret file on you; that's the environment I was
23 in.

24 Q Yeah, I noticed in some communication
25 that you were under the impression that there

1 NOREEN SHEA

2 were recording devices or eavesdropping devices
3 within the office?

4 A Yes, I was told this.

5 Q Who told you?

6 A Lou.

7 Q Okay. Did you ever find such a device
8 on your phone?

9 A Did I find it? No. Lou showed me
10 where they were; under the counter, in my phone.

11 Q So he did show you where they were?

12 A Where they were, yeah.

13 Q So you knew when you were on the phone
14 that you were being recorded?

15 A I assumed I was. I knew the mayor
16 because he -- the mayor told me to record the
17 Orthodox when they come in, he showed me on his
18 phone how do it.

19 Q Did you record it on his phone or your
20 phone?

21 A On my phone. I told him I didn't
22 have -- what's the matter with you? He grabbed
23 my phone and he showed me, and I did, I recorded
24 a couple of Orthodox but then as time went on I
25 said this is so wrong, and I started recording

1 NOREEN SHEA

2 him.

3 Q And when did he ask you to do that, was
4 it before this February 7, 2017?

5 A Oh gosh, that was right at the
6 beginning. Right at the beginning. Naomi
7 Streiker was my first recording, an Orthodox
8 realtor, he told me to record her when she comes
9 in.

10 Q Again, the word toxic environment, in
11 my opinion it seems to be a strong term. Other
12 than cross training and Lou's personality, and
13 the mayor's personality; was there anything else
14 that you considered to be toxic in the working
15 environment that caused you to write this memo?

16 A Fran.

17 Q Okay. That was the main purpose for
18 writing this memo, was Fran?

19 A I think it was one of the many
20 variables that went in.

21 Q What are the other variables?

22 A Lou. The antisemitic environment.
23 The, why are you so nice to these people when
24 they come in, that would be Fran; that's what was
25 discussed with Doris.

1 NOREEN SHEA

2 Q Well, maybe you can clarify what you
3 just testified to, as this memo doesn't mention
4 anything about antisemitism. Why not?

5 A That's what I'm saying, there's nothing
6 here that says --

7 MR. SUSSMAN: He's asking you why
8 doesn't the document mention anything about
9 antisemitism, that's his question to you.

10 THE WITNESS: I don't have -- I was
11 sending this to the Board. I guess I should
12 have been more elaborate.

13 Q But you did say that you told Doris
14 Ulman about this antisemitic behavior?

15 A Um-hmm. And she's Jewish.

16 Q You have to say yes.

17 A Oh, yes.

18 Q And she told you to report it to the
19 Board, correct?

20 A She didn't say report the anti -- no,
21 she did not say that. She said to protect
22 yourself, write a memo.

23 Q Okay. On paragraph 42 you state that
24 the mayor and the village Board received the
25 letter but never addressed the concerns. If you

1 NOREEN SHEA

2 look at 42, in the complaint. Read paragraph 42
3 to yourself. My question is simply, did you send
4 your February 7, 2017 memo, to the mayor?

5 A I sent it to everybody. The Board of
6 Trustees, the village attorney.

7 Q Is there any reason why you didn't CC
8 them on there?

9 A They were all. Everybody received it.

10 Q Leon Harris received it?

11 MR. SUSSMAN: It says to the Village of
12 Pomona Board of Trustees.

13 THE WITNESS: Yes.

14 Q That's the Board of Trustees, does that
15 include the mayor?

16 A Yes, he's on the Board.

17 MR. BANKS: The mayor is a trustee.

18 MR. DeGUISEPPE: Just to clarify. I
19 actually marked this twice, that's why I
20 don't have a copy. Just note for the record
21 Exhibits B and N are the same. Let's just
22 take out T. There is no T.

23 Q All right. We marked this as Exhibit
24 C. We're done with Exhibit A.

25 A I didn't work here.

1 NOREEN SHEA

2 MR. SUSSMAN: There's no question.

3 THE WITNESS: He's looking at me.

4 Q I just was wondering if you said okay.

5 MR. SUSSMAN: Wait for the question.

6 Q Do you recognize that document or any
7 part thereof?

8 A Not to my knowledge.

9 Q Page marked D124 there are some dates:
10 February 2017 -- February 19, 2017, and then on
11 the next page February 20, 2017. Yeah, there's
12 dates added there. This is a document that was
13 produced by your attorneys, so I'm asking you, do
14 you recognize this document?

15 MR. SUSSMAN: It doesn't mean she
16 recognizes it, though.

17 MR. DeGUISEPPE: No. You're right.

18 THE WITNESS: Yeah, no.

19 Q Okay. Including the notes of
20 February 2017 note entries on the last few pages,
21 page three on top.

22 A Okay. Continued April 1st, 2018?

23 Q No .it says continued February 19,
24 2017.

25 A Okay, yeah.

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Q And then it sites 127, and you can read it for yourself. It seems to be some kind of timeline. Did you write those notes?

A No.

Q Okay. The same thing on the next page, page 4, which is page P125, did you write those notes?

A No.

Q Do you have any idea who wrote these notes?

A No.

Q This is D. And just the same questions after you're done reviewing it, let me know if you recognize this document, have you ever seen it before?

A No.

Q You don't know who drafted this, correct?

A No. They spelled my name wrong, too. Oh, sorry.

Q This is Exhibit E. Again with all these things Ms. Shea, I mean to save time, just look at it and let me know whether or not you recognize this document then I'll ask you

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questions.

A Yes.

Q Okay. Could you please identify for the record what this document is.

A These are my notes when I was terminated.

Q Okay. When did you draft these notes?

A Right after I was terminated, June sometime, I guess in 2017. The date says June 23rd.

Q Well, it says that you were terminated on that day it doesn't say this was drafted on it. Do you recall when this was drafted?

A Right after.

Q Do you know if there's more than one draft of this, that document?

MR. SUSSMAN: Read the whole document before you give a date.

Q Yeah.

A Okay.

Q Do you recall when you drafted this document?

A I can't give you an exact date.

Q There's a reference in there to a

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August 21, 2017, at the bottom of the letter and board meeting September 11, 2017; does that refresh your memory as to when this was drafted?

A No.

Q Okay. If it doesn't, it doesn't. Why did you draft this letter or this memo?

A I drafted a lot of e-mails from my desk, village hall, of the events and days that I sent to myself, so I took notes. I write things down to keep it fresh.

Q Do you still have a copy of those handwritten notes?

A They're not handwritten notes.

Q Do you have a copy of those notes?

A Those are e-mails.

Q Of those e-mails, do you have a copy of those e-mails?

A I should.

Q Were they e-mails to yourself or to somebody else?

A They're e-mails to myself. They were in the evidence, I saw some of them. I mean, if you want them, I'll get them for you.

Q Well, if I don't have them I'll request

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2 them from Michael. All right. Most of this we
3 agreed appear to have covered before. There is a
4 statement in here, the third page where you
5 referenced Lou Zummo telling you that you were
6 fired 'cause you were a Jew lover. You helped
7 all Jews. I mean, what, you know, did Mr. Zummo
8 say that to you, you help all Jews? You help all
9 the Jews, were those his words or is that just
10 your summary of what he said to you?

11 MR. SUSSMAN: The second full paragraph
12 on page 3 he's asking you at the end of the
13 paragraph the words, quoting from the
14 document "you help all Jews" is that
15 something Mr. Zummo said to you or is that
16 something else?

17 THE WITNESS: I can hear him in his
18 Jewish interpretation saying it. Maybe that
19 should have been in quotes too.

20 MR. SUSSMAN: Are those his words?

21 Q I'm just asking you. Yeah.

22 MR. SUSSMAN: I asked him why the man
23 wants to get rid of me he said "because
24 you're a Jew lover". Then he says, you help
25 all the Jews; is that something Zummo said?

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2 THE WITNESS: Yes.

3 Q So that should have been in quotes?

4 A Yes.

5 Q Okay. I have no further questions of
6 this document, unless it refreshes your memory as
7 to something you've already testified and you
8 want to clarify your prior testimony?

9 A No.

10 Q I'll show you what's been marked as
11 Exhibit F. All right, do you recognize this
12 document?

13 A Yes.

14 Q Okay. And you drafted this document?

15 A Yes.

16 Q On or about August 21, 2017?

17 A Yes.

18 Q And how did you send this to Fran,
19 regular mail, e-mail?

20 A I believe -- I'm not quite sure. But
21 if I had my papers with me -- if I sent it
22 certified I have the green, you know, I have all
23 that paperwork. I'm not sure --

24 Q All right. We'll leave a blank space,
25 when you review the transcript if you want to --

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2 A It's addressed to Fran.

3 Q We'll leave the question blank: How
4 did you send this to Fran?

5 (INSERT)
6
7
8

9 Q Okay. In here you talk about an issue
10 with June/July's paystub. What was the issues
11 and were they resolved, to your satisfaction?

12 A No, it's still not resolved. My
13 issues, you know, she says I gave my two-weeks
14 notice --

15 MR. SUSSMAN: There's no question. Was
16 it was resolved? The answer is no. Next
17 question.

18 Q Yeah. Well, what was the sum and
19 substance of the last discussion or
20 correspondence you had with Fran concerning this
21 issue? She told you the village wasn't agreeing
22 with you, or that they were looking into it?

23 A I think Doris -- I believe Doris
24 was the next -- so this was probably Fran's
25 last --

1 NOREEN SHEA

2 Q Okay. Let me show you what's been
3 marked as H. I don't know if this is a letter,
4 Doris letter you were referring to.

5 A This was me to Doris. Oh, here it is.

6 Q It's attached, right?

7 A Um-hmm.

8 Q All right. So we've been reviewing
9 this correspondence. What was the outcome of you
10 sending your letter to -- well, what was the
11 outcome of Doris' -- of your sending this letter
12 to Doris, which has been marked as Exhibit H, is
13 there any developments, were you paid?

14 A No. No pay, nothing.

15 Q All right. In your letter to Doris you
16 say "I have no reference to the term 'holdover
17 deputy clerk' my position as deputy clerk upon
18 hire until termination." Did Doris use that term
19 to you, holdover?

20 MR. SUSSMAN: This is Doris' letter.

21 MR. DeGUISEPPE: Michael is right.

22 MR. SUSSMAN: Is the second page of
23 exhibit H.

24 Q Did Doris ever explain to you what that
25 meant?

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2 A No.

3 Q What did the village pay you as a
4 result of your termination? Doris says here,
5 "you received four weeks salary for the time that
6 you did not work. These are only amounts that
7 the village is legally able to pay."

8 MR. SUSSMAN: So the question is, did
9 she get paid for four weeks?

10 MR. DeGUISEPPE: Yeah.

11 THE WITNESS: The question is did I get
12 paid?

13 MR. SUSSMAN: Did you get paid four
14 weeks beyond when you were terminated? That
15 is, beyond June 23rd did you get paid four
16 weeks, like she says?

17 THE WITNESS: I was short, put it that
18 way. The numbers are totally off.

19 Q If you don't recall, you could just
20 say.

21 A And then I attached the stubs.

22 Q No, I'm just confirming whether or not
23 you were paid what Doris says you were paid.
24 Plus you received four weeks salary for that time
25 that you did not work, that's what she's

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claiming?

A I didn't get paid the right amount,
that's where it still stands.

Q Okay. Exhibit I.

A These are the e-mails I was telling you
about.

Q There are a number of dates here:
January 5th and then January 10th on page 43, No.
P43; January 12th on P45, and the next one I see
is January 27th on P47. My question to you is,
you drafted this documented, correct?

A Yes.

Q Okay. It's an e-mail?

A Yes.

Q When did you draft this document on or
about?

A On the dates.

Q So these are multiple e-mails?

A Um-hmm.

MR. SUSSMAN: Yes.

THE WITNESS: Yes. I edited them.

Q Do you have the original e-mails? I'll
save time. If you do have them, please provide
them to your attorney and we'll discuss the

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2 production.

3 Why did you -- I mean, what caused you
4 to write what's been marked as Defendant's
5 Exhibit I. What was the reason you drafted this?

6 A My frustration to the environment and
7 trying to be efficient and effective. I kept
8 saying that I could have scanned that whole
9 billing department in, I could have had that
10 software up and running, I could have helped Fran
11 with the tax software. There was so much that
12 could be done and we weren't allowed to do it,
13 that's why I was so frustrated.

14 Q All right. Is there anything, in
15 reviewing this document is there anything that
16 you now recall that you want to clarify from your
17 prior testimony on anything?

18 A No.

19 Q Okay Exhibit J. There you go. And the
20 same question for this document again: Can you
21 recognize it? What is it? And when did you
22 draft it?

23 A March 2nd it was drafted.

24 Q All right. The last line talks about
25 there was a trustee meeting on February 27, 2017.

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2 "We were surprised to hear Peter Obe is out and
3 Kevin Dock is replacing with Mitch Archie."

4 A Oh, Mitch Archie was the code
5 enforcement officer they hired, that was the
6 name.

7 Q Okay. I was going to ask you to
8 identify all three individuals. Peter Obe, is
9 it?

10 A Yes.

11 Q Obe was also someone who hadn't signed
12 the Oath book upon being reappointed, do you know
13 that?

14 A I believe it. They were all expired.

15 Q What do you know about that situation,
16 if anything, what I just asked you?

17 A I'm the one who had the Oath of Office
18 Book out and brought it up to Fran saying that I
19 had a gentleman move and he was on my planning
20 board, Pat Millie (phonetic), Squally Millie
21 (phonetic) was his proper name, and we were
22 missing another person and I went to the Oath of
23 Office Book to see and I noticed trustees were
24 expired on their appointment, ZBA, planning
25 board, me. And I said, Fran do you realize that

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almost everybody here is expired, and the mayor was so upset and grabbed Fran went in that office slammed the door and they had everybody come in and do the Oath of Office the next week. And that's when I realized and I said, Fran you want me to do it?

Q And what did she say?

A You have to talk to the mayor.

Q Okay. Aside from yourself, was there anybody else not asked to sign the Oath of Office Book at that time, to your knowledge?

A No, everybody came in.

Q Everybody but you?

A I was there.

Q No. I'm saying, you never signed the Oath of Office Book for your second appointment term, correct?

A I asked, I said I'm supposed to sign it but it wasn't signed.

MR. SUSSMAN: He's asking you, did you sign it at that time?

THE WITNESS: No.

Q Okay. And my other question was: To your knowledge, were you the only person who did

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not sign the Oath of Office Book after the
circumstances you just described?

A And Peter Obe.

Q Anybody else?

A Not that I'm aware of, no.

Q To your knowledge, was there any
allegations that you were aware of at that time
that Mayor Yagel intentionally didn't have people
sign the Oath of Office Book so he could
terminate their employment when he wanted to?

A Lou told me he likes to dangle that
carrot in front of you, that's why every day you
wait and see.

Q Well, why were you and Lou talking
about the Oath of Office Book?

A I told him, I said Fran told me you
have to talk to the mayor. And then he made the
comment, I remember, she was supposed to swear
you in, she is the one that should have gotten in
trouble.

Q I'm just going to show you J and K.
I'm sorry, K and L.

A Okay.

Q About the Robert Klein e-mail. I mean,

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2 what does this e-mail concern? First of all, did
3 you draft the first page of this?

4 A Yes, I believe so.

5 Q Was this an e-mail also?

6 A To myself.

7 Q To yourself, okay. And what was your
8 purpose in drafting this e-mail to yourself?

9 A I was upset. I was upset with the
10 situation. Again, the toxicity. Mayor called
11 asked for the building inspector, told when I was
12 just about to go downstairs Lou punched the desk
13 and I said, are you okay? And then he banged his
14 head down into it and I stopped and I waited and
15 I waited and I hear him saying yes, and I want to
16 leave and he was arguing and arguing and arguing
17 with the mayor. Lou slammed the phone down and
18 said, I'm not allowed to go home until I find
19 something wrong with Ian Banks' house and Robert
20 Klein's house.

21 Q And that's why you drafted this?

22 A Yeah. That's when I said this is
23 unbelievable the stuff that I see in here.

24 Q Did you notify Doris Ulman or anybody
25 else of this issue that you perceived with the

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mayor's conduct?

A Doris Ulman doesn't have a e-mail.

Q Well did you contact or say, the mayor is still engaging in this type of conduct in terms of --

A No.

Q L, same thing, I guess this is an e-mail that you wrote, the first one?

A Okay.

Q And what is this e-mail?

A Same, environment.

Q All right. Towards the end you mention that "Lou told me about the listening devices that were found in the past and the previous clerk had a bug in her phone." Did you ever follow-up with anyone as to whether or not your phone was bugged or the office was bugged at the time you were working there?

A I called Verizon on my phone. I asked, because I went into the mayor's office one day and I saw my -- it said Odee's iPhone on his computer laptop, it freaked me out.

Q I'm sorry, what did it say?

A Odee's iPhone. My kids all call me

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2 Odee, Aunt Odee. And my iPhone and it said and I
3 was baffled how he can have that on his machine.

4 Q Well, did you ever contact any type of
5 surveillance person to see whether or not your
6 phone had been bugged?

7 A Did I? I called Verizon and I asked
8 them to checkup on that and how they got it.

9 Q Did you ever contact someone named
10 Joseph Saponao, S-A-P-O-N-A-O, of Elite
11 Investigations?

12 A Who's that?

13 Q I'm just asking if you know.

14 A Oh, no.

15 MR. DeGUISEPPE: Why don't we mark this
16 one as G.

17 (Thereupon, Defendant's Exhibit G was
18 marked for Identification purposes only.)

19 Q All right. You had previously
20 testified that there was something called the
21 shul patrol. This is an e-mail. I had asked you
22 about this, whether or not you were familiar as
23 to whether or not investigations were done on a
24 Saturday night, and I was referring to this
25 e-mail the Saturday violation patrol.

1 NOREEN SHEA

2 MR. SUSSMAN: When you say Saturday
3 night, is incorrect. It's a Saturday
4 violation, had nothing about a Saturday
5 night.

6 MR. DeGUISEPPE: I'm sorry. You're
7 right.

8 Q To your knowledge, was there a Saturday
9 violation patrol?

10 A I don't know. The mayor sent --

11 Q If you don't know, you don't know.

12 A But the building inspector called it
13 shul patrol, that's what he says. I'm on shul
14 patrol.

15 Q Is this e-mail referring, in your
16 opinion, to the shul patrol?

17 A If it's on violations, yes.

18 Q Did you have any conversation with
19 Mr. Zummo about this e-mail about --

20 A I had to do all the violations,
21 summonses, tickets, mail them.

22 Q Let me ask you, do you recall seeing
23 this e-mail prior to today?

24 A Yes, I believe so. See, now it looks
25 like he worked --

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2 MR. SUSSMAN: The only question was,
3 did you see the e-mail? Okay.

4 Q Yeah, I don't want you guessing on
5 stuff.

6 MR. DeGUISEPPE: The document that
7 starts on P104, that'll be T. And then the
8 one that starts on page P131, U.

9 (Thereupon, Defendant's Exhibits T&U were
10 marked for Identification purposes only.)

11 MR. SUSSMAN: I think that seeing these
12 has been my client's version of the texts
13 that she knew were being sent by Mr. Yagel
14 is what prompted our request to you, because
15 these are fairly legible, what we got. We
16 produced these.

17 MR. DeGUISEPPE: So why don't we just
18 say that Exhibits T and U, text messages on
19 Mayor Yagel we'll produce legible copies.

20 MR. SUSSMAN: Yeah, he's the
21 originator.

22 MR. DeGUISEPPE: So no questions on T
23 and U.

24 (Thereupon, Defendant's Exhibits V was
25 marked for Identification purposes only.)

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2 Q Ms. Shea, I'm showing you what's been
3 marked as Defendant's Exhibit V. This was a
4 report that I requested for 2016 to show the
5 status of various building permits. Just ask
6 you, so I know you haven't seen this before
7 because it was produced at my request. And why
8 don't you let me know when you're done.

9 A Okay, I'm good.

10 Q Okay.

11 MR. SUSSMAN: You did make it available
12 for today, I think she did review it before
13 today.

14 MR. DeGUISEPPE: Yeah, it might have
15 been in a bigger format, yeah.

16 MR. SUSSMAN: It's Defendant's 296 to
17 298. You've seen this before at my office,
18 correct?

19 THE WITNESS: I believe so, yeah.

20 Q By looking at this document, and I want
21 you to carefully look at it, do you see any
22 building permit applications which you think were
23 not processed within a timely fashion on a 30-day
24 period?

25 A 9 and 11 Klingher Court were a big

1 NOREEN SHEA

2 issue. I'm trying to recall but I remember that
3 name.

4 Q Looking at this, do you see any
5 addresses which you believe while you were --

6 A 9 and 11 Klingher Court. I'm trying to
7 remember the -- oh my gosh --

8 Q Do you remember what the issue was with
9 Klingher Court?

10 A I remember the builder coming in, he
11 was very upset with us. He was constantly
12 yelling.

13 Q Now, it says that the owner was
14 Briarwoods Farm, do you know who owned Briarwoods
15 Farm?

16 A Oh, that's Mr. Hirskowitz, but he sold
17 it.

18 MR. SUSSMAN: It says Glan (phonetic)
19 on 9 and 11. 11 Klingher it says owner's
20 name Glan.

21 THE WITNESS: Briarwoods Farms did own
22 it, and then they sold it to these, and then
23 this builder had a lot of problems.

24 MR. SUSSMAN: The other problem here it
25 says taken in, permit number taken in and

1 NORREEN SHEA

2 then issued; do you know what taken in
3 means?

4 MR. DeGUISEPPE: Well, this was taken
5 off the village's computer system.

6 MR. SUSSMAN: Because it looks like
7 taken in --

8 Q Did you ever use that phrase, taken in?

9 A No, because there is no taken in.

10 MR. SUSSMAN: The prior point is the
11 taken in and the issue date for all of these
12 is the same, which is impossible. So I
13 don't -- I don't know what that could
14 possibly be. It doesn't show the date that
15 someone request it, right?

16 MR. DeGUISEPPE: Well, you can ask.

17 MR. SUSSMAN: I don't know who I can
18 ask.

19 MR. DeGUISEPPE: It says taken in 6/13
20 issued 6/26.

21 MR. SUSSMAN: Yeah, but the next one
22 says taken in 2/1 issued 2/1. The next one
23 says taken in 5/20 issued 5/20, and on and
24 on.

25 MR. DeGUISEPPE: Well, there weren't

1 NOREEN SHEA

2 C/O's issued. This is when the C/O's were
3 issued.

4 MR. SUSSMAN: No, no, the C/O is in the
5 next column. You see what I'm saying,
6 issued?

7 MR. DeGUISEPPE: Oh, the building
8 permit was issued.

9 MR. SUSSMAN: Right. You're asking her
10 are there any delays -- your question was,
11 are there any delays after 30 days. But
12 this document wouldn't establish that one
13 way or the other because it doesn't show
14 when the permit was requested. I mean, you
15 would have that information but it's not
16 demonstrated here.

17 MR. DeGUISEPPE: Well, I'm not asking
18 her about the accuracy of the document. I'm
19 just, maybe this will refresh her memory as
20 to some of the locations and builders where
21 there were issues there.

22 MR. SUSSMAN: Okay. You could ask.
23 I'm not objecting to your question.

24 MR. DeGUISEPPE: Yeah. And I agree.
25 No, I'm not asking her to vouch for the

1 NOREEN SHEA

2 accuracy of this document. I just really
3 want her to identify if by looking at this
4 if this refreshes her memory as to any other
5 individual, residents who had -- or
6 companies who had issues.

7 MR. SUSSMAN: So beyond what she
8 testified to earlier when she's talking
9 about Klein and Manes you're saying,
10 anything else?

11 THE WITNESS: Oh, Beaver Dam
12 Congregation. 12 Beaver Dam, wow, that's
13 another big one there, yeah.

14 Q What's the --

15 A That was allegedly a shul.

16 Q And what's the permit number?

17 A I'm on the last page; one, two, three,
18 four, five -- five down. 12 Beaver Dam,
19 congregation Zichron. Indig, woe, that was it.
20 Leigh Indig over a year on my desk. A little bit
21 down, 21 White Birch. Oh yeah, that was some
22 curse words on that one a lot. There's another
23 one, I guess it says, on the bottom it says
24 Ingig, it should be Indig, it's 21 White Birch,
25 again.

1 NOREEN SHEA

2 MR. SUSSMAN: The bottom, you mean the
3 bottom of the third page.

4 THE WITNESS: Yeah. You see that?
5 That was the grading. Nosbond, woe. Yep,
6 Nosbond, 10 Galileo. Yeah, they own both
7 houses, she bought the house across the
8 street.

9 MR. SUSSMAN: No. Wait a minute.
10 Mr. Banks, you can't --

11 Q The clarification is that Nosbond name
12 appears several times Ms. Shea, which one are you
13 referring to?

14 A 15. Yeah, the demo.

15 Q Well, there's three entries of 15?

16 A First they purchased the house and
17 demo'd it to the floor, the new house it was
18 rebuilt.

19 MR. SUSSMAN: Did you say that was
20 Fran's work product.

21 MR. DeGUISEPPE: It might be. Oh no,
22 it was Betty Vandiver (phonetic). I didn't
23 tell her what to do, I just told her what to
24 print. I'm more interested in the names. I
25 mean, the names and the property.

1 NOREEN SHEA

2 MR. SUSSMAN: Are there any others that
3 you could think of offhand that --

4 THE WITNESS: No. All the Briarwoods
5 Farms ones were really delicate.

6 Q Can you just describe briefly about
7 each one that you identified what the issues
8 were, as you understood it.

9 A Going back as to Nosbond, that one was
10 brutal. They owned two homes, one across the
11 street leveling one.

12 Q What are the addresses?

13 A Fifteen was the one they leveled and
14 were building a big beautiful home there. Huge.
15 You got to ask me a question.

16 Q You identified several names. 10 and
17 15. What was the issue with 10, to the best of
18 your recollection? If you don't know, you don't
19 know.

20 A 10 Nosbond, that one, nothing.

21 Q Okay. 15 Galileo was Nosbond?

22 A 15 was a huge issue because the mayor
23 and Lou Zummo surmised it was a shul and they
24 were building Disney World over there, that's
25 what they called it; there's going to be numerous

1 NOREEN SHEA

2 bedrooms.

3 Q Well, was there any zoning issue with
4 that?

5 A It was a huge zoning issue. They cut
6 down all the trees and it was a huge argument
7 with the mayor and the building inspector, but
8 the plans had no trees on it. But they went
9 after Jack Spate. They said, what other projects
10 is Jack Spade on?

11 Q And who is Jack Spade?

12 A He's a builder. Orthodox builder. And
13 4 Litman Lane was the another one and I had a ZBA
14 coming up and I said, he just lost.

15 Q What name is that?

16 A 4 Litman Lane.

17 Q Where is that located?

18 A No, that was the other project, I
19 remember it.

20 Q Oh, it's not on the exhibit?

21 A It could be. Hold on. There was a lot
22 of issues with Nosbond. Anybody see 4 Litman?

23 MR. SUSSMAN: Do you know the name of
24 the person?

25 THE WITNESS: It's been four years.

1 NOREEN SHEA

2 MR. SUSSMAN: 4 Litman is here, Telano
3 (phonetic).

4 THE WITNESS: Yes.

5 MR. SUSSMAN: It's in the middle of the
6 third page.

7 THE WITNESS: Good. I'm glad you got
8 it.

9 Q Oh, I see it.

10 A Wow. That was a bad one.

11 Q What was the issue there with Telano?

12 A He had a permit to work on the
13 upstairs, and that was another Jack Spade
14 project, he's the builder, and they found out
15 that they ripped up the whole downstairs and the
16 basement.

17 Q Of all these issues -- of all these
18 properties you just cited, I mean, in general
19 were there problems in issuing the C/O, is that
20 what you're saying, or building permit
21 application? That's what I'm not following. Or
22 both? I guess you can't have an application if
23 you need a C/O. In other words, what I'm not
24 understanding was the permit issued and then
25 there's a C/O problem or --

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2 A There was a permit issued and then they
3 wanted another permit for the backyard project,
4 they're putting in a built-in pool, they had to
5 go before the ZBA.

6 Q Any of these issues you just
7 identified, do you think they were related to the
8 religious practices of the individual --

9 A This one, 4 Litman lane?

10 Q Yes.

11 A Yes.

12 Q Okay. And why is that?

13 A Because everybody was up and arms with
14 Nosbond cutting down all the trees on the
15 property. Every tree was cut down. It's a very
16 wooded area. And the mayor came in screaming
17 because the trees were all cut down, but when Lou
18 pulled out the plans there were no trees on the
19 plan.

20 Q 4 Litman lane says Telano?

21 A Okay, hold on. And then what happened
22 was the mayor said, who is it? And he says, Jack
23 Spade, the builder. And he goes, what other
24 projects is Spade on, I want to know now, and Lou
25 smiled and said 4 Litman Lane we have the ZBA in

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four days, and they did not pass.

Q That was because of the builder?

A That's the reason they say.

Q All right. Any other -- before we leave this document, any other properties that you can identify which were issues that you were aware of?

A Indig was a huge grading permit.

Q What was the issue there with the grading?

A That's the one that I told you sat on my desk for over a year. The white Birch bitch.

Q Is all right. Let's move on.

(Thereupon, Defendant's Exhibit W was marked for Identification purposes only.)

Q Okay. Let's look at W first, which is the spreadsheet. Do you recognize this document?

A Yes.

Q Did you prepare this document?

A Yes.

Q And are these your notes on this document?

A Yes.

Q Why don't you just tell us what the

1 NOREEN SHEA

2 document is. Identify it for the record. What
3 is the recording date and the comments made,
4 unless you want me to ask line by line?

5 A I don't -- you ask me, yeah.

6 Q All right. The recording date, what is
7 that?

8 A It's the date.

9 Q And is there any kind of date stamp on
10 any of these recording as to when you made the
11 recording?

12 A Date stamp?

13 MR. SUSSMAN: How do you know the date?

14 Q Yeah, how do you know the date?

15 A It says it on your phone, right?

16 Q I'm asking you the question. It's on
17 your phone?

18 A (Nodding head.)

19 Q What kind of device did you use to make
20 this recording, was it one device or more than
21 one device?

22 A The one device. The mayor showed me
23 how to do it.

24 Q And what was that device?

25 A My phone.

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Q And what type of phone was it?

A Apple iPhone.

Q And when you made the recordings, did you store them on your phone or did you transfer them?

A They were strictly on my phone and then I couldn't take any pictures or anything and I moved them to Google Drive.

Q And when did you do that?

A I don't know the date.

Q It looks like the first entry, I can't read it but it looks like "unknown person arrives to interview for my job, deputy clerk," subject of voice recording?

A It's a recording.

MR. SUSSMAN: Straight at the top.

Q Is that correct? Is there some other text cut off?

A No, that's what that was about.

Q All right. Was that in any way -- well, why did you start recording, making these recordings?

A I started recording because the mayor asked me to start recording. Naomi Streiker,

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when that bitch comes in here I want you to record her. I said, where is the button? How do I do it? And he said, what's the matter with you? Use your phone. And he said, put your code in I'll show you. And he showed me how to do it. And then he said, you do this, and I did I recorded Naomi and, you know, they wanted -- so what happened was I just said this place is just so toxic or whatever word you want that I said, you know what, when I saw the mayor coming in I'm going to record him and his remarks and comments.

Q All right. Let me just go back. Did the fact that you knew when you found out that some unknown person was interviewing for your job, was that one of the reasons that you started doing these recordings?

A No. I did it for the antisemitic remarks that I could catch and get on.

Q Okay. But did the mayor tell you to record the antisemitic remarks?

A No. He wanted me to record the Orthodox when they came in.

Q And did you do that?

A Um-hmm. Yes.

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Q Are any of those recordings in here?

A No.

Q And where are those recordings?

A I deleted them because nothing was --

Q So these are not all the recordings you
had, there are deleted recordings?

A Yes. Well, Naomi Streiker.

Q Are there any recordings of the mayor
that you deleted?

A I know I would hit --

MR. SUSSMAN: Answer the question.

THE WITNESS: I'm trying to answer.

Okay, yes.

Q Okay. And how many of those recordings
of the mayor?

A Oh, I have no idea.

Q More than 10?

A I don't know.

Q How did you decide what to keep and
what to delete?

A Sometimes the mayor would walk in, I'd
see him, I'd hit record, I throw the phone down.
Sometimes he came in for a minute, 10 minutes.
Sometimes he didn't say a word did a couple of

1 NOREEN SHEA

2 things left, I delete, there's nothing to keep.

3 So, that's the point.

4 Q Okay. And what did you decide to keep?

5 What was the criteria you used to make the

6 decision to keep certain --

7 A Hostile, nasty, antisemitic, you know,

8 responses.

9 Q Okay. Did the mayor know you were
10 recording him?

11 A No.

12 Q Did Lou Zummo know you were recording
13 him?

14 A No.

15 Q Did Fran Arsa Artha know you were
16 recording her?

17 A No. No that I know of.

18 Q Okay. Did you record conversations
19 between people other than yourself? In other
20 words, did you record conversations that did not
21 involve you as a participant?

22 A How would I do that?

23 MR. SUSSMAN: He just asked did you?

24 He didn't ask how you can do it.

25 THE WITNESS: No.

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2 MR. SUSSMAN: The answer is no. So
3 that's your answer.

4 Q It says, if you look down here on
5 2/1/17 from the second paragraph to the end it
6 says, "mayor asked Fran that question. I was not
7 in the room then. Fran said I don't know ask
8 Noreen."

9 A Where is that?

10 Q If you go at the bottom of the first
11 page.

12 A Oh. I was in the bathroom.

13 Q All right. So you weren't in the room
14 when she said that?

15 A Yeah, I got up into the --

16 Q All right. Let me just start on the
17 first page. There's one on 2/1/17, "is he
18 building it for a synagogue?" Who's voice is
19 that, to the best of your recollection?

20 A That's the mayor. It should say it.
21 Here, go across. Brett, right here.

22 Q Oh, I see that.

23 A That's how you know.

24 Q Okay. And then the issues tag, what is
25 that, does that represent how you characterize

NOREEN SHEA

the issues?

A Well, yeah.

Q Well, who made those characterizations, you or somebody else?

A No, me.

Q I see that. And when you say all, who are you referring to? Who is that?

A All would be Brett, Fran, Lou -- all would be I guess me, Fran and Lou.

Q Okay. Do you recall what property that relates to, "is he building it for a synagogue?"

A Where are you? Yes, it is Robert Klein. 63 I guess. Robert Klein's case.

Q Okay. In looking at this -- you categorized some statements as racist and some as antisemitic, what was the difference?

A "What time did you tell the Mexican I'll be there?" That's a racist remark. That's not antisemitism. That would be a Latino contractor that came in and --

MR. SUSSMAN: So given that this is a guide, you know, you have these conversations, you could spend as much time as you want on this, but this is to help

1 NOREEN SHEA

2 you.

3 MR. DeGUISEPPE: Yeah, I'm not spending
4 much time. I just want to understand what
5 these notes mean, that's all.

6 THE WITNESS: "Did you really say there
7 are no outstanding issues?" That was
8 Mr. Banks' farm.

9 MR. SUSSMAN: He's not asking you
10 questions. Don't just volunteer
11 information. He can ask you whatever he
12 wants. I haven't stopped him, I just made a
13 suggestion that this is really a guide to
14 helping him listen to the tapes. There's a
15 huge number of tapes and I was trying to be
16 of assistance to counsel.

17 MR. DeGUISEPPE: And they are. They
18 are of assistance. The only reason I was
19 asking general questions because the rating
20 system appears to stop, so I wanted to know
21 the criteria --

22 MR. SUSSMAN: No, that's fine.

23 MR. DeGUISEPPE: That's what I was
24 getting at. You stopped rating them on the
25 fourth page at the end, so that's why I

1 NOREEN SHEA

2 wanted to clarify.

3 Q How did you classify statements as
4 being antisemitic?

5 A Let's see. They talked about the
6 Jewish race.

7 Q So if the word Jewish is used, that
8 could be something that could be antisemitic?

9 A No. Not always. "This is the bitch
10 that took out four truckloads of trees. She's
11 not getting a permit."

12 Q Well --

13 A "Jewish make money --

14 Q On the fifth page under February 3rd,
15 you know, something like this, there's a comment
16 here it says "mayor hates Mr. Hirskowitz, a
17 builder. Lou responds."

18 A Oh gosh, yeah.

19 Q Those are your comments, right?

20 A Where are you?

21 Q Would that be classified as an
22 antisemitic?

23 MR. SUSSMAN: You're asking about this,
24 "mayor hates Mr. Hirskowitz, a builder. Lou
25 responds." So the comment was that she's

1 NOREEN SHEA

2 referring to is I didn't realize that
3 Mr. Hirskowitz has really moved his projects
4 along, what the hell is going on. So that
5 was her --

6 MR. DeGUISEPPE: No, I understand. But
7 there's some statements that she seemed to
8 infer antisemitism from her prior testimony,
9 and I just wanted to know if this would be a
10 statement, the mayor's comments about
11 Mr. Hirskowitz based on his Jewish faith as
12 opposed to something else?

13 Q Your interpretation.

14 A That comment is not antisemitic.

15 Q That's all I'm asking you.

16 A Yeah.

17 Q I'm starting at the same on that page.

18 Is there any other comments that you see, after
19 you stop rating the comments. The fourth page in
20 the middle it seems like we stopped. It looks
21 like it starts with "Hirskowitz and Wolfson, I
22 want the maximum on that property." Just if you
23 could quickly review this and let me know if you
24 see any comments which you believe are evidence
25 of the antisemitism of the Jewish religious

1 NOREEN SHEA

2 faith?

3 A "I have to call him and thank him for
4 saving me a plot in the cemetery." This one.
5 Which one are you on?

6 Q Yeah, that's the first one. You don't
7 have to explain to me what the comment is, is
8 whether or not you believe that it was evidence
9 of the antisemitism. The reason I'm asking is
10 just you tell me, rather than listening to hours
11 of tapes, that's the reason why I'm doing this.

12 A Yes. I would say yes. Yes. Yes.

13 Q Wait. Which one?

14 A "Thank you for saving me a plot in the
15 cemetery." He has the recording of that
16 conversation too. He walked around the office
17 playing it over and over and over again.

18 MR. SUSSMAN: Just listen to the
19 gentleman's question. Is it antisemitic in
20 your review?

21 THE WITNESS: Oh, yes.

22 MR. DeGUISEPPE: Which one were you
23 talking about just now?

24 MR. SUSSMAN: Next comment. I have to
25 call him and say thank you for saving me a

1 NOREEN SHEA

2 plot in the cemetery.

3 MR. DeGUISEPPE: I don't see that.

4 MR. SUSSMAN: At the bottom of the same
5 page. "i didn't realize that Mr. Hirskowitz
6 has really moved his projects along, what
7 the hell is going on." The next statement.
8 "I have to call him and thank him for having
9 me a plot in the cemetery." You see that?
10 It's the bottom of the page that you're
11 looking at, February 3rd.

12 MR. DeGUISEPPE: Okay.

13 MR. SUSSMAN: You want her to go
14 through the next page and tell you what she
15 thought was antisemitic?

16 MR. DeGUISEPPE: Yeah. I'm I missing
17 something?

18 Q Well, nothing before that? I just want
19 to make it clear. I've asked you to identify --

20 MR. SUSSMAN: Well, she started at the
21 bottom of that page, that's where you were.

22 MR. DeGUISEPPE: I asked her to start
23 on the page before, which is where it stops,
24 her comment stops on page 4.

25 MR. SUSSMAN: Okay, fine. So he's

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2 asking you to start here. So he's asking
3 you from here on, are any of these
4 comments that are antisemitic?

5 THE WITNESS: Yes. "I don't want any
6 negotiations with everything that is
7 happening in Ramapo and this fucking county
8 we have to stop" -- yes. Oh no, I didn't
9 say that. "Hirskowitz and Wolfson I want
10 the maximum on that property, the absolute
11 maximum." That was a fine. He wants them.
12 "I want the nail in the coffin." I mean --

13 Q Don't read this because the court
14 reporter has to take it down. Read it to
15 yourself.

16 MR. SUSSMAN: Don't editorialize. He's
17 asking you a simple question. Identify the
18 comments that were antisemitic. He's not
19 asking you to explain further. Just
20 identify the comments. Okay. So the
21 comments you're on this page. So far you
22 identified the comment: I don't want any
23 negotiations. You identified the next
24 paragraph: I want the nail in the coffin.
25 "Is that Mrs. White Birch person" is that

1 NOREEN SHEA

2 antisemitic in your view or not? "This is
3 the bitch that took --

4 THE WITNESS: Yeah. All right. They
5 treated them -- yes.

6 MR. SUSSMAN: Just in the context you
7 heard it, did you view it as antisemitic or
8 not?

9 THE WITNESS: No, they were not.

10 MR. SUSSMAN: Okay. Next comment is
11 "so what did you think they were? They
12 weren't Jewish".

13 THE WITNESS: The two gentlemen that
14 walked in -- okay. Yeah, that would be --

15 Q Wait. Which is the whole comment? So
16 what do you think, down to Robert Klein, that's
17 whole antisemitic or just part of it?

18 A I'm trying to remember what they --
19 yes. "So what do you think they were? They
20 weren't Jewish." Two gentlemen that came in and
21 the mayor was watching them, the building
22 inspector --

23 Q You don't have to explain it. My
24 question is, do you consider that to be
25 antisemitic, yes?

1 NOREEN SHEA

2 MR. SUSSMAN: In the context you heard
3 of them. See, that's the point. You're the
4 one who heard the tapes in this room, I may
5 have heard them as well but he didn't hear
6 them. So in the context you heard this as a
7 summary or quote that they said, did you
8 view the comment as antisemitic? Is all
9 he's asking you.

10 THE WITNESS: Yes.

11 Q So it's yes. Only because I don't want
12 to have to go back and listen to every single
13 thing that I don't have to. So you tell me from
14 the context, and I'll focus on those.

15 MR. SUSSMAN: You're at the bottom of
16 the page.

17 THE WITNESS: Yes.

18 Q Next page.

19 MR. SUSSMAN: "These two bozos that
20 came in here."

21 Q So it goes down to 63 Halley?

22 A Yes. "these two bozos," yes.

23 MR. SUSSMAN: "Foil, Lou, please don't
24 give any more information out." Let's talk
25 -- "let them talk but don't say a fucking

1 NOREEN SHEA

2 word, as much as they are -- they are trying
3 their hardest. They're trying their fucking
4 hardest."

5 THE WITNESS: Yes. Is that how I
6 answer? Yes.

7 MR. SUSSMAN: Yes-or-no. "Those are
8 what his face little buddies, 63 Halley."

9 THE WITNESS: Yes.

10 MR. SUSSMAN: "6 France still has a
11 suka up."

12 THE WITNESS: It's not antisemitic,
13 it's just saying that it's still up, it
14 should have been down.

15 MR. SUSSMAN: All right, so the answer
16 is no. "My Jewish wife, shlomo, give me a
17 fucking break, he text me more than my wife
18 does."

19 THE WITNESS: Yes.

20 MR. SUSSMAN: "Brett is going to kill
21 me?"

22 THE WITNESS: That's not antisemitic.

23 MR. SUSSMAN: "Let him fire me over
24 something stupid."

25 THE WITNESS: No.

1 NOREEN SHEA

2 MR. SUSSMAN: "If that's Solomon
3 Fuerst, hang up."

4 THE WITNESS: Oh yeah.

5 MR. SUSSMAN: "Woop dee fuckin doo."

6 THE WITNESS: Yes. I'm going to say
7 yes.

8 MR. SUSSMAN: "Passed all inspections
9 except hurricane clips."

10 THE WITNESS: No.

11 MR. SUSSMAN: "Maybe you measured from
12 the down side not the up side."

13 THE WITNESS: No.

14 MR. SUSSMAN: "That will shut him the
15 hell up."

16 THE WITNESS: No.

17 MR. SUSSMAN: "18 inches sounds so much
18 better."

19 THE WITNESS: No.

20 MR. SUSSMAN: "He has been jamming this
21 special permit up my ass for months."

22 THE WITNESS: No.

23 MR. SUSSMAN: "ZBA might give him his
24 C/O."

25 THE WITNESS: "ZBA might give him his

1 NOREEN SHEA

2 C/O." I think it's time we call the journal
3 news on him."

4 MR. SUSSMAN: You haven't answered.

5 "ZBA might give him his C/O." Do you think
6 that was antisemitic or not, that's the
7 question?

8 THE WITNESS: No.

9 MR. SUSSMAN: "They better not."

10 THE WITNESS: No.

11 MR. SUSSMAN: "It will cost him another
12 5 or 6 thousand on top of the \$25,000
13 already."

14 THE WITNESS: No.

15 MR. SUSSMAN: "I think it's time we
16 call the journal news on him."

17 THE WITNESS: No.

18 MR. SUSSMAN: "You're an asshole dude."

19 THE WITNESS: No.

20 MR. SUSSMAN: "Mr. Banks cannot go back
21 to the ZBA, he had one year to complete it."

22 THE WITNESS: No.

23 MR. SUSSMAN: "You must force him to
24 open up siding to see the hurricane clips."

25 THE WITNESS: No.

1 NOREEN SHEA

2 MR. SUSSMAN: "He can open up one side
3 of the building."

4 THE WITNESS: No.

5 MR. SUSSMAN: "Then you can't pass
6 him."

7 THE WITNESS: No.

8 MR. SUSSMAN: "I'm calling Doris she is
9 pissing me off, she is siding with him
10 again."

11 THE WITNESS: No.

12 MR. SUSSMAN: "Why didn't you call me
13 in Airmont."

14 THE WITNESS: That's not.

15 MR. SUSSMAN: Next. Further on it says
16 39 minute. "I didn't realize Mr. Hirskowitz
17 has really moved his projects along, what
18 the hell is going on."

19 THE WITNESS: Yes.

20 MR. SUSSMAN: "I have to call him and
21 thank him for saving me a plot in the
22 cemetery."

23 THE WITNESS: Yes.

24 MR. SUSSMAN: "I saw your e-mails,
25 Solomon Fuerst is looking for you."

1 NOREEN SHEA

2 THE WITNESS: Yes.

3 MR. SUSSMAN: "We are not here to
4 provide personal service to him."

5 THE WITNESS: Yes.

6 MR. SUSSMAN: "They are not entitled,
7 Lou."

8 THE WITNESS: Yes.

9 MR. SUSSMAN: "You are not their
10 personnel -- personal building inspector."

11 THE WITNESS: Yes.

12 MR. SUSSMAN: "No, you are not allowed
13 to offer that, that opens a liability to the
14 village."

15 THE WITNESS: All this, yes.

16 MR. SUSSMAN: So all that conversation?

17 THE WITNESS: Um-hmm.

18 MR. SUSSMAN: Now it goes down towards
19 it's highlighted it says "Obe is playing
20 mystery games up there, we let him do it."
21 And then there's a conversation about Obe
22 until 56 minutes, did you view that as
23 antisemitic?

24 THE WITNESS: Yes. He was an Orthodox
25 man trying to buy it and they were going

1 NOREEN SHEA

2 after Peter Obe.

3 MR. SUSSMAN: "Why is Doris getting
4 involved with Merkley? Have a stop work
5 order on his house. Burgees Meredith would
6 roll over in his fucking grave."

7 THE WITNESS: No.

8 MR. SUSSMAN: Next comment in quotes,
9 "sounds like you have your hands full
10 politically."

11 THE WITNESS: I was a police officer,
12 no.

13 MR. BANKS: "Paul Peperotti was looking
14 for you Friday."

15 THE WITNESS: No.

16 MR. SUSSMAN: "The moron Marino quit
17 Airmont."

18 THE WITNESS: No.

19 MR. SUSSMAN: "Doug, this skinny Jewish
20 guy, not a real Jew."

21 THE WITNESS: I would think that is
22 antisemitism.

23 MR. SUSSMAN: "He works two jobs for
24 that psycho Spring Valley mayor."

25 THE WITNESS: Yes. He was picking on

1 NOREEN SHEA

2 him.

3 MR. SUSSMAN: "I can go into Ramapo and
4 kiss Tony's ass all day."

5 THE WITNESS: No.

6 MR. SUSSMAN: "I want inspections to be
7 two days a week."

8 THE WITNESS: No.

9 MR. SUSSMAN: "I asked Fran for village
10 engineer phone number to set up TAC
11 meeting."

12 THE WITNESS: No.

13 MR. SUSSMAN: "White Birch is pretty
14 much Yarmulkeville."

15 THE WITNESS: I would think a little
16 bit. Yes.

17 MR. SUSSMAN: Next page. "Why do you
18 need Pat Brady's phone number."

19 THE WITNESS: No, that's not
20 antisemitic.

21 MR. SUSSMAN: "He said he wants to pave
22 all of High Mountain."

23 THE WITNESS: That's a touch one. Is
24 it antisemitic? Yes. He was going after
25 Lyod Ecker on that one.

1 NOREEN SHEA

2 MR. SUSSMAN: "What happened to Pat
3 Brady's phone number."

4 THE WITNESS: He wouldn't give it away.
5 Oh, no.

6 MR. SUSSMAN: "Brett said no TAC
7 meeting."

8 THE WITNESS: That's not.

9 MR. SUSSMAN: "Nobody is rushing to
10 give Mr. Ecker a TAC meeting."

11 THE WITNESS: Yes.

12 MR. SUSSMAN: "No TAC meeting, do you
13 understand."

14 THE WITNESS: Yes.

15 MR. SUSSMAN: "This guy is insane. He
16 can't to that, it is illegal."

17 THE WITNESS: Okay.

18 MR. SUSSMAN: Is that yes-or-no, what?

19 THE WITNESS: Yes. The whole --

20 MR. SUSSMAN: The context. You don't
21 have to explain. But all the answers are
22 within the context, that you could recall,
23 of the situation?

24 THE WITNESS: Yes.

25 MR. SUSSMAN: And these are quotes, but

1 NOREEN SHEA

2 the question is you knew the situation so in
3 the context did you think they were or
4 weren't antisemitic?

5 THE WITNESS: Yes.

6 MR. SUSSMAN: That's what
7 Mr. DeGiuseppe is asking, I heard him ask
8 you.

9 THE WITNESS: Yes.

10 MR. SUSSMAN: "Janet Chernokoff is the
11 woman who called about Doris. Lyod Ecker
12 bought all five of her lots."

13 THE WITNESS: That's not.

14 MR. SUSSMAN: "So who's pushing this
15 TAC meeting."

16 THE WITNESS: For Lyod -- yes. I think
17 it's a yes.

18 MR. SUSSMAN: "Just because somebody
19 ask for it doesn't mean they get it."

20 THE WITNESS: Yes.

21 MR. SUSSMAN: "That's their problem,
22 until such time it does not go anywhere."

23 THE WITNESS: Yes, this one was wow.
24 Yes.

25 MR. SUSSMAN: "Did he withdraw the

1 NOREEN SHEA

2 application."

3 THE WITNESS: Yes.

4 MR. SUSSMAN: "You know what I don't
5 see in here? I don't see anything from
6 Mr. Manes' attorney withdrawing this
7 application."

8 THE WITNESS: Yes.

9 MR. SUSSMAN: "What's Joe Corless
10 number."

11 THE WITNESS: No, that is not
12 antisemitic.

13 MR. SUSSMAN: "Whatever file for 22
14 High Mountain."

15 THE WITNESS: Yes.

16 MR. SUSSMAN: "So he did withdraw his
17 application."

18 THE WITNESS: It's all the same.

19 MR. SUSSMAN: This is all the time
20 conversation?

21 THE WITNESS: Yes.

22 MR. SUSSMAN: That conversation was or
23 was not, in your view, antisemitic?

24 THE WITNESS: Yes.

25 MR. SUSSMAN: Three hours zero minutes

1 NOREEN SHEA

2 it says "Joe and Doris were vicious at that
3 meeting. Looks like Ryan Karben is trying
4 to get involved."

5 THE WITNESS: Yes.

6 MR. SUSSMAN: Was the application
7 approved between Joe Corless and Celentano."

8 THE WITNESS: Yes.

9 MR. SUSSMAN: "I have to GIS Banks
10 house first."

11 THE WITNESS: Yes.

12 MR. SUSSMAN: "I guess I have to file a
13 former complaint with Ramapo."

14 THE WITNESS: No.

15 MR. SUSSMAN: "Is each individual
16 advertisement a violation." Bottom. Last
17 page.

18 THE WITNESS: Yes.

19 MR. SUSSMAN: On second to last page
20 "up to what date can we collect signatures."

21 THE WITNESS: That's not antisemitic.

22 MR. SUSSMAN: "Is his building close to
23 the lot line."

24 THE WITNESS: No.

25 MR. SUSSMAN: "So is 10 feet from the

1 NOREEN SHEA

2 property line."

3 THE WITNESS: No.

4 MR. SUSSMAN: "How can we legally take
5 money from somebody without knowing what
6 it's for."

7 THE WITNESS: Yes.

8 MR. SUSSMAN: "What she looking for."

9 THE WITNESS: Yes.

10 MR. SUSSMAN: "How does TAC begin."

11 THE WITNESS: It's still the whole
12 conversation.

13 MR. SUSSMAN: That whole conversation?

14 THE WITNESS: Yeah.

15 MR. SUSSMAN: So this conversation
16 going down through which part?

17 THE WITNESS: "I am sick and tired of
18 these informal discussions." Oh yeah. Yes.
19 "He has 47 kids --

20 MR. SUSSMAN: Red to yourself. Go to
21 the last quote you think that represents
22 what is antisemitic behavior or comment.

23 THE WITNESS: Well, the last comment,
24 the 47 kids not my problem half of them are
25 retarded. And then skip the next one, "I

1 NOREEN SHEA

2 tried very hard to get -- no.

3 MR. SUSSMAN: So far, after the comment
4 when you said he has 47 kids, the rest of
5 that you do not believe was antisemitic, if
6 I understand your testimony?

7 THE WITNESS: Yeah. I'm going over
8 here.

9 MR. SUSSMAN: Okay. The last page. Is
10 there anything on there that you think is
11 antisemitic? You can point it out.

12 THE WITNESS: Okay. Yes. "You can't
13 image the shit that goes on," and then down.

14 MR. SUSSMAN: "You can't imagine the
15 shit that goes on" and then down through the
16 end of the page?

17 THE WITNESS: Yes.

18 MR. SUSSMAN: All right, so you have
19 that. And Mr. DeGiuseppe, just to kind of
20 point out for the record, this ends
21 February, I believe it's February 10th is
22 the last call, so this is not a companion of
23 all the calls this is just some of the
24 calls. You can ask her that. She didn't go
25 through all the calls.

1 NOREEN SHEA

2 MR. DeGUISEPPE: Well, that's why I put
3 an X. And the remainder of the calls are on
4 Exhibit X; is that correct?

5 MR. SUSSMAN: Yeah. The reminder of
6 the calls are listed here on Exhibit X?
7 He's asking you that.

8 THE WITNESS: Yes.

9 MR. SUSSMAN: She didn't do a
10 spreadsheet.

11 MR. DeGUISEPPE: I understand. I'm
12 just doing this so I don't have to listen to
13 everything.

14 (Thereupon, Defendant's Exhibit X was
15 marked for Identification purposes only.)

16 Q All right, I just want to ask one more
17 question just to clarify. Any of these
18 recordings on Exhibit X, other than your attorney
19 and his staff, have you shared this with any
20 other persons, these recordings?

21 A I told you one, Ian Banks.

22 MR. SUSSMAN: On that issue, I have a
23 subpoena outstanding which had been issued
24 in one of the other cases, I believe by the
25 gentleman you mentioned earlier, the

1 NOREEN SHEA

2 attorney mentioned earlier, Nash is his
3 name?

4 MR. BANKS: Nash.

5 MR. SUSSMAN: For all of the tape
6 recordings I have not provided them, but I
7 do have that subpoena that's outstanding,
8 just so you know.

9 Q One last question on the exhibit. If
10 you go to the next to last page, the last page
11 there were recordings made in 2016; do you recall
12 why you made those recordings?

13 A Why? I don't understand why.

14 Q Yeah. I want to know what was the
15 purpose of those calls -- of those recordings?

16 A The same.

17 Q The same?

18 A Yeah. They're antisemitic, you know,
19 conversations that I was trying to capture. I
20 mean, there was a lot more than I didn't get.

21 Q Well, was there any reason why you
22 started with January 27, '17 instead of
23 September 2016?

24 A No, there is no reason.

25 MR. DeGUISEPPE: Okay. Why don't we

1 NOREEN SHEA

2 take a break.

3 (Thereupon, a short break was had.)

4 Q Just going back to some questions.

5 Just a few more questions about your job
6 performance, et cetera. Did you ever say in the
7 presence of Fran Arsa Artha that you had smashed
8 somebody's face into a --

9 A What?

10 Q Did you ever say words to the effect,
11 to Fran Arsa Artha, that you had smashed many
12 faces into a car's windshield and in one case had
13 to be pulled off someone who was covered by
14 blood?

15 A I think she got the story wrong. No.

16 Q And what was the story, as you
17 understood?

18 A You know --

19 Q Look, I'm just asking questions?

20 A Lou Zummo was telling a story about how
21 he beat this guy up bad and stuff and I said, you
22 know, in Bradley, New City there's a pinball
23 machine I think we were -- I didn't drive, I was
24 a kid I was 13 or 14 years old, that's why I'm
25 laughing, I'm 56, and there were three guys on of

1 NOREEN SHEA

2 motorcycles that pushed my sisters from the
3 pinball machine and my mother went over and the
4 one guy hit my mother and I went over there --
5 did I smash his head through a windshield? No.

6 Q Did you ever make a comment that you
7 threatened to smash Robert Klein's face, the
8 trustees, through a windshield?

9 A No. Robert Klein?

10 MR. SUSSMAN: Just listen to the
11 question and answer it. Did you make the
12 statement?

13 THE WITNESS: No.

14 MR. SUSSMAN: Okay. Next question.

15 Q Okay. After your meeting with Doris in
16 February of 2017, did you have any correspondence
17 with her either in person or by other means,
18 concerning your complaints about working in the
19 village office of Pomona?

20 A After what date?

21 Q After you said that you met with her, I
22 believe before the February 7th, memo, correct?
23 Before your February 7th memo of 2017 you said
24 that you met a few days before with Doris,
25 correct?

NOREEN SHEA

A Yes.

Q Did you have any correspondence with her, either in person or by another means, concerning any complaints about the work environment --

A Verbal.

Q -- in the village? And when was?

A I complained about a lot to her, you know.

Q Was it in writing or was it --

A It was verbal. It's conversations.

Q By what means did you contact her?

A I told her about the screaming match with Avrohom Manes and how I jumped up from the desk, I was terrified. The mayor was saying "sue me. Sue me. Sue me." I mean screaming. I jumped up from the desk. I was ready to dial 911. I told Doris and she said, oh the mayor.

Q Let me be more focused with my question. After your meeting with Doris in early February of 2017, did you on any occasion, either in person or verbally over the phone or anything in written communication such as an e-mail, tell her that the mayor had a policy of discriminating

NOREEN SHEA

in any respect against Jewish residents of the
village?

A Yes, I've talked to Doris. She has no
cell phone.

MR. SUSSMAN: The only question is, did you? The answer is yes. That's the answer. You don't have to go further than that. The question is did you? Yes. Next question.

Q The second question is, on how many occasions did you tell her that after the February 2017 meeting?

A Several. Several times. On several
addresses, you know. Litman Lane I talked to her
about. I talked to her about --

Q Let's look at Litman Lane; was there anybody else present when you had this conversation with her about it?

A No.

Q About the mayor?

A Leigh Indig, that would be another permit I talked to her about, you know, saying it's a year what are you guys doing.

Q But I want to be specific. Did you specifically complain to Doris that you thought

1 NOREEN SHEA

2 the mayor was discriminating in any respect
3 against Jewish residents of the village, or
4 builders?

5 A Yes.

6 Q Okay. And what were your exact words
7 to her, the gist of what you said to her?

8 A It depends on which conversation,
9 Mr. Hirskowitz's conversation?

10 Q Well, you tell me. Let's start with
11 the Hirskowitz conversation, what did you tell
12 her?

13 A I told her it's very antisemitic the
14 way he's treated, the way they want me to delay
15 his inspections, you know.

16 Q And what if any response did she have?

17 A By law -- she works for the mayor. By
18 law you can wait five days for a FOIL request, 10
19 days for an inspection, you know, she would the
20 law part. But she knew of the antisemitism all
21 over.

22 MR. SUSSMAN: That's the answer.

23 MR. DeGUISEPPE: Strike that. You
24 can't speculate as to what she knows.

25 MR. SUSSMAN: She said she told her, so

1 NOREEN SHEA

2 when she said she knew --

3 MR. DeGUISEPPE: No, but that's a
4 legal -- antisemitism is a legal conclusion.

5 Q But what other -- you also said Indig,
6 was that another incident you told Doris about
7 that you believe that a person is being
8 discriminated against because of their Jewish
9 faith?

10 A Yeah. And why is it a year later.

11 MR. SUSSMAN: Just answer the question.

12 THE WITNESS: Yes.

13 Q Tell me what was the sum and substance
14 of your conversation with Doris about, Ms. Indig
15 you said?

16 A Yes. I talked to her about the permit,
17 the situation, why wasn't it being addressed. I
18 mentioned it to Lou a dozen times.

19 Q And you said there was one more
20 situation?

21 A One.

22 Q Well, you said there were several
23 instance where you told Doris --

24 MR. SUSSMAN: You mentioned Klein, you
25 mentioned Indig, and you mentioned --

1 NOREEN SHEA

2 THE WITNESS: Avrohom.

3 Q And what was the sum and substance that
4 was discussed with her?

5 A Avrohom, I told her about the screaming
6 match between him and the mayor. And I said that
7 mayor was bullying Avrohom and he was, he said
8 listen I only came in to check on the status I
9 didn't come in to fight, and the mayor kept going
10 after him, and I was shocked.

11 Q Did you ever tell Doris Ulman that Lou
12 Zummo told you that the mayor had called you a
13 Jew lover?

14 A No.

15 Q Other than Lou Zummo telling you that
16 the mayor characterized you as a Jew lover, did
17 you tell anyone else?

18 A Yes.

19 Q And who else did you tell?

20 A Jerry.

21 Q Other than attorneys.

22 A Jerry Fox.

23 Q Who is Jerry Fox?

24 A Jerry Fox was on the planning board
25 because he was helping me buy a condo.

1 NORREEN SHEA

2 Q And what did you tell Jerry Fox?

3 A I said my job is not secure I can't buy
4 anything with this kind of -- the atmosphere and
5 the environment, I can't buy.

6 Q Did you tell Mr. Fox that you had been
7 characterized as a Jew lover --

8 A Yes.

9 Q -- by Mr. Zummo?

10 A Yes.

11 Q And what was his reaction, if any?

12 A He just laughed, really. He knew. He
13 knew the environment also.

14 Q How did he know?

15 A He was on the planning board for many
16 years.

17 Q Well, was he employed in the offices of
18 the village?

19 A No, he was on the planning board. He
20 was a realtor.

21 Q Did you ever tell Trustee Nick Wilson,
22 that you had been referred to as a Jew lover?

23 A I went to Nick Wilson dozens of times.

24 MR. SUSSMAN: Just listen to the
25 question. Did you ever tell him you were

1 NOREEN SHEA

2 referred to as a Jew lover? That's the only
3 question he asked you.

4 Q And the answer is --

5 A Hold on.

6 Q And how many times did you go to
7 Mr. Wilson concerning your being called --
8 characterized as a Jew lover?

9 A Just that one complaint, the Jew lover?
10 Or -- not any other?

11 Q Yeah.

12 A Okay.

13 MR. SUSSMAN: You could have talked to
14 him about other complaints at the same time,
15 right.

16 MR. DeGUISEPPE: Yeah.

17 THE WITNESS: I went to Nick dozens of
18 times and really talked to him.

19 Q No, but my question is specific.
20 You're not answering my question. Specifically,
21 how many times did you tell Nick Wilson that you
22 had been characterized as a Jew lover?

23 A Well, it would have to only be once.
24 How many times can I possibly --

25 Q Again --

NOREEN SHEA

A I'm trying to remember if I told him --

Q Is just yes-or-no. So you went one time, that you recall?

A I went to Nick dozens of times with numerous complaints and then I finally realized that he does --

Q Okay.

A That's why I went to Doris --

Q I don't want to start making motions to strike but, you know, it's not responsive. I'm just asking you a simple question and, you know, you said one time and then you said how many more times.

Did you ever tell trustee -- Mayor Banks when he was a trustee, did you ever tell him that you had been characterized as a Jew lover by the mayor?

A Yes.

Q And how many times did you tell him that?

A I don't recall.

Q And in what context did you tell him that you had been characterized as a Jew lover? What did you say to him, you know, I was fired

1 NOREEN SHEA

2 because I'm a Jew lover, or something else, words
3 to that effect?

4 A Yes. I told him that that's what the
5 building inspector told me, I help the Jews. I'm
6 the Jew lover.

7 Q Okay. And what if any response did he
8 give?

9 A What was his response?

10 Q Yeah.

11 A Not shocked.

12 Q Do you remember his words?

13 A No.

14 Q Trustee Robert Klein, did you tell him
15 that you had been characterized as a Jew lover?

16 A Yes.

17 Q And how many times did you tell him?

18 A How many times? If I tell you
19 something it should be once. I know I told
20 Robert after I was terminated.

21 Q Anyone else from the village that you
22 told you had been characterized as a Jew lover by
23 the mayor?

24 A My family.

25 Q Associated with the village?

1 NORREEN SHEA

2 A Avrohom.

3 Q Are you talking about Avrohom Manes?

4 A Yes.

5 Q He owns Tal Properties, right?

6 A Yes.

7 Q I'm talking about someone either on the
8 zoning board, planning board, TAC?

9 A No. Jerry Fox was the only one I told
10 while I was still employed there. I was still
11 employed, so I knew the mayor was saying this
12 about me and he didn't like me because that's
13 what he quoted it and I was still there. So
14 Jerry Fox I did. Because I could not pursue
15 buying a property -- my job was on the line, how
16 do I buy something?

17 Q So before you were terminated, you told
18 Mr. Fox that you had been characterized as a Jew
19 lover by the mayor?

20 A Yes.

21 Q And what if any response did he have?

22 A Well, we stopped looking at townhouses
23 and stuff.

24 Q Mr. Fox, what was his response, did he
25 say he was going to do something about, report it

1 NOREEN SHEA

2 to the town attorney, or take some other steps?

3 A No.

4 Q When do you recall making the first
5 complaint to anyone associated with either Doris
6 Ulman, trustee, board member or the building
7 inspector that you believe that the mayor was
8 authorizing discriminatory practices against
9 Jewish residents and builders?

10 A Trustee Nick Wilson.

11 Q And when was that first time?

12 A Right away. I went to Nick's house
13 quite often, right after work.

14 Q No, I mean what time was it, what
15 period of time, February 2016, some other time?

16 A So I started February 1st, it could
17 have been February, March.

18 Q I don't want you to guess. Just what
19 you recall. Was is summer time, winter time,
20 first year of employment, second year of
21 employment?

22 A First year of employment.

23 Q So sometime during your first year of
24 employment you told Nick Wilson about this?

25 A Um-hmm. Yes.

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Q And what was his response, if any?

A I remember a couple. I was frustrated with like wishy washy answers: Keep your head down, just do your job, get your pay check. It was not helpful.

Q Are you currently employed?

A No. Well, I'm up here. When I go hopefully back down to South Carolina.

Q Well, I don't mean your location. Are you currently employed right now?

A No.

Q And you live in South Carolina?

A Yes.

Q And you were offered your job back as deputy village clerk by Mayor Banks; is that correct?

A Yes.

Q And when was that?

A You're looking for a date? Spring time.

Q Yeah. This year 2019?

A 2019, yes.

Q So it was after he was elected mayor?

A Yes.

1 NOREEN SHEA

2 Q All right. And why did you refuse to
3 be reinstated to your position?

4 A I told him I lived in South Carolina,
5 1. That was number 1.

6 Q Okay. If you were offered your job
7 back as a result of this lawsuit, would you
8 accept your old job back?

9 A No.

10 Q And why was that?

11 A Lou Zummo still works there.

12 Q Would you move up to New York if you
13 were offered your old job back?

14 MR. SUSSMAN: Sorry?

15 THE WITNESS: No.

16 MR. DeGUISEPPE: Well, would she move
17 back to New York if she was offered her old
18 job back.

19 MR. SUSSMAN: But she just said Lou
20 Zummo is still there.

21 Q Well, if Lou Zummo wasn't there would
22 you move up to New York?

23 A No.

24 Q Aside from -- well, have you had any
25 earnings, and I'm talking about earned income not

1 NOREEN SHEA

2 passive or investment income, have you had any
3 earnings since June 23, 2017, either from
4 employment or independent contract for services
5 or any other type of working?

6 A No. Just side jobs, painting my
7 brother's kitchen.

8 Q Have you received any W-2s or 1099 --

9 A No.

10 Q -- since June 23rd, 2017?

11 A No.

12 Q Okay. Have you been seeking other
13 employment --

14 A Yes.

15 Q -- since June 23rd, 2017?

16 A Um-hmm. Yes.

17 Q Okay. And please tell me what efforts
18 you have made to find other employment?

19 A Gone on interviews down in South
20 Carolina. In fact, I leave New York to go down
21 there. Headhunters down there, I have Indeed I
22 applied online through websites, there's a
23 company down right near the house too I would
24 love to get into and I applied to their direct
25 website, and Bosch is around the corner from me I

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applied to that, I was really trying to get into
that one too.

Q And what type of positions are you
applying for at Bosch and other companies?

A Project manager, manager positions.

Q And how many jobs have you applied for
since June 23rd, 2017?

A A lot. A number?

Q More than 10?

A Oh, a lot more than 10.

Q Have you received any interviews on any
of them?

A Yes.

Q How many interviews have you gone on?

A I had to do, what is it a phone -- a
video interview, I went to another company sat
down with their HR.

Q Have you received any job offers ever
since June 23rd, 2017, which you have not
accepted?

A No.

Q Other than -- have you sustained any
other types of economic loss as a result of your
termination from the village since June 23rd,

1 NOREEN SHEA

2 2017, such as unreimbursed medical expenses or --

3 A I have to pay out of pocket, I have no
4 medical, I have no retirement, you know, fund. I
5 have no home right now and I'm not going to find
6 a home until I get a job and then I have to --

7 Q Approximately how much have you spent
8 on unreimbursed medical expenses since June 23rd,
9 2017?

10 A I don't know, a couple of hundred
11 dollars. It's a urgent care, it's walk-in.

12 Q I'm just asking so I can understand
13 your damages. Other than monetary damages, have
14 you suffered any other type of harm as a result
15 of your termination of employment from the
16 village on June 23rd, 2017?

17 A I'm frustrated. When I met with the
18 head of economic development in Greenville and I
19 had a great, you know, talk and interview and
20 they wanted the Village of Pomona they wanted
21 recommendations and referrals back then and, you
22 know, I tried to dance around the situation and I
23 never heard -- I said this is going to hurt me.
24 This is going to scar me. I wanted that job bad.
25 I never got that call back. But when Ian won the

1 NOREEN SHEA

2 election I asked him if he would change that
3 because I said I'm having a tough time seeking
4 employment without using that as a reference and
5 he said he would, you know, help me.

6 Q But my question really infers to, other
7 than economic have you suffered any other type of
8 emotional stress or other types of psychological
9 harm for which required you to seek some kind of
10 healthcare professional?

11 A I can't seek healthcare because I don't
12 have benefits.

13 Q Yeah. Well, would you seek healthcare
14 professional help for some damage that you
15 suffered as a result of being terminated on
16 June 23rd, 2017?

17 A If I had the opportunity?

18 Q Yeah.

19 A No out pocket --

20 Q Well, for what would you seek
21 healthcare for, if you had healthcare services?

22 A Well, I had a lump in my breast I'm
23 supposed to have it checked every year, it hasn't
24 been checked in years. I had pre-cancerous cells
25 and OBGYN that's supposed to be checked every

1 NOREEN SHEA

2 year and it hasn't, yeah, it is a lot.

3 Q I don't mean for you to disclose this
4 personal information. I mean as a result of your
5 being dismissed by the village of Pomona, have
6 you suffered any type of symptoms --

7 A Yeah, I'm frustrate.

8 Q -- which you would attribute to your
9 termination of your services?

10 A Yes, I'm very frustrated. I moved back
11 from South Carolina to New York with starting
12 over again, rebuilding, looking to buy a condo,
13 and I was knocked down on my feet again.

14 Q Okay. And other than that, have you
15 suffered anything else in terms of emotional,
16 psychological, and physical harm as a result of
17 being dismissed on June 23rd, 2017?

18 A I don't know what else to think of.

19 Q Well, let me ask you, are you currently
20 under the care of any healthcare professional for
21 emotional distress or other psychological harm?

22 A I have no benefits to see anybody.

23 Q All right. Just answer my question.

24 A No.

25 Q And if you did have benefits to see

1 NOREEN SHEA

2 someone, what type of services would you seek?

3 A Oh, I see what you mean. All my yearly
4 checkups and everything checked out again.

5 MR. DeGUISEPPE: Let me take two
6 minutes.

7 (Thereupon, a short break was had.)

8 MR. DeGUISEPPE: Ms. Shea, thank you
9 for your cooperation today I know it's a
10 long day. You will provided with a copy of
11 the transcript you can review it with your
12 attorney, and if you need to make any
13 changes you will be provided the opportunity
14 to do so.

15 THE WITNESS: Yes.

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18
19 (Continued on the next page
20 to accommodate the jurat.)
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25

1 NOREEN SHEA

2 MR. DeGUISEPPE: Also, this deposition
3 today was ruled by the standard federal
4 stipulations and we will accordingly, you
5 know, waive signature, et cetera, before the
6 court reporter and follow the standard
7 stipulations we're done.

8 (Time noted: 4:56 p.m.)

9
10 _____
11 NOREEN SHEA

12
13 Subscribed and sworn to
14 before me, this ____ day
15 of _____, 2019.

16 _____
17 Notary Public
18
19
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25

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R U L I N G S

(NONE)

C E R T I F I C A T E

I, Andrea Ortiz, a Shorthand Reporter
and Notary Public of the State of New York, do
hereby certify:

That, NOREEN SHEA, the witness whose
examination is hereinbefore set forth, was duly
sworn, and that such examination is a true record
of the testimony given by such witness, held
before me on AUGUST 30, 2019.

I, further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

ANDREA ORTIZ: 8/30/19